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STATE CONSTITUTION OF NEW YORK.

ARTICLE I.

SECTION 8. Every citizen may freely speak, write or publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press.

Adopted by the People of New York, November 3rd, 1846.

#1

9 1978

THE SUPPRESSION OF FREE SPEECH
IN NEW YORK AND IN NEW JERSEY

Being a True Account by Eye Witnesses of

LAW-BREAKING

By the Police Department of New York City, at Lexington Hall, on May 23, 1909.

By the City Authorities of East Orange, at English's Hall, on June 8, 1909.

CONSTITUTION OF THE UNITED STATES OF AMERICA.

FIRST AMENDMENT.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances

Ratified by the Constitutional number of state legislatures on December 15, 1791.

Together with the Full Text of the SUPPRESSED LECTURE by EMMA GOLDMAN and the ADDRESSES by LEONARD ABBOTT and ALDEN FREEMAN at the

Thomas Paine Centenary

Observed by the Members of The Open Forum of New Jersey in a STABLE in East Orange after the President of The Forum, the Speakers and 1,500 other Citizens were BY FORCE denied entrance to English's Hall, which had been legally hired for the meeting by Miss Goldman and her manager, Dr. Reitman.

STATE CONSTITUTION OF NEW JERSEY.

ARTICLE I. RIGHTS AND PRIVILEGES.

SECTION 5. Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press.

Ratified by Vote of the People of New Jersey, August 13, 1844.

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The Individual and the State

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The Problem as Presented by the Sentencing of

Roger N. Baldwin

November 1918.

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Suppressed Information and Federal Court Speech

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BY FRED D. WARREN
MANAGING EDITOR APPEAL TO REASON

Southern District of California
11/23/18 J.S. J. Muehlberg

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The Conviction of Mrs. Kate Richards O'Hare, and North Dakota Politics

Mrs. Kate Richards O'Hare, former International Secretary of the Socialist Party for the U. S., well known here and abroad as a writer and lecturer on labor and socialism, was sentenced to five years in prison by Federal District Judge M. J. Wade at Bismarck, North Dakota, on December 8, 1917, for violation of the Espionage Act. The conviction is pending on appeal to the U. S. Circuit Court of Appeals, and is set for hearing May 27. This case involves issues of national significance,—both political and legal.

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"The Right To His Day In Court"

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Shall Lawyers Defend Those Deemed To Be Adversaries of Our Government

Correspondence between Mr. Arthur Le Sueur, of the St. Paul Bar and Mr. George Chase, Editor of the New York Law Journal.

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#6

WHY FREEDOM MATTERS

By

NORMAN ANGELL

Give me the liberty to know, to utter and to argue freely according to conscience, above all liberties.
— JOHN MILTON.

¶

January 1919

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TO THE AMERICAN PEOPLE

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REPORT

UPON THE

ILLEGAL PRACTICES

OF THE

UNITED STATES DEPARTMENT OF JUSTICE

Prepared, May, 1920

R. G. Brown, Memphis, Tenn.
Zechariah Chafee, Jr., Cambridge, Mass.
Felix Frankfurter, Cambridge, Mass.
Ernst Freund, Chicago, Ill.
Swinburne Hale, New York City.
Francis Fisher Kane, Philadelphia, Pa.
Alfred S. Niles, Baltimore, Md.
Roscoe Pound, Cambridge, Mass.
Jackson H. Ralston, Washington, D. C.
David Wallerstein, Philadelphia, Pa.
Frank P. Walsh, New York City.
Tyrrell Williams, St. Louis, Mo.

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7 EAST 15TH STREET
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Free the Political Prisoners!

#8

Here are all the essential facts briefly and accurately put.

THE issue of amnesty for political prisoners is unchanged by the release on Christmas of 25 of them. The President's action merely made a beginning in clearing up the war cases. The campaign is being carried on to release all the remaining men, to secure restoration of citizenship and to dismiss cases still pending in the courts.

GIFT OF
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¶ There are still in federal prisons today, three years after the Armistice, 118 men convicted under the Espionage Act and other war laws. There are 113 at Leavenworth, and 5 at McNeil's Island, Washington. All of them are radicals or pacifists—most of them members either of the Industrial Workers of the World or of the Working Class Union (an organization among the tenant farmers of the southwest). Most of them were working men in western industries,—mining, lumber, agriculture. There are eleven tenant farmers among them, and a few professional men,—two preachers, two writers and a lawyer.

¶ These prisoners are the last of over 2,000 persons sentenced to prison under the Espionage Act and other war laws restricting freedom of opinion. Most of them are serving terms of from five to twenty years. Unless special action is taken, it will be years before the last of these prisoners goes free.

Their Offenses

¶ With the exception of ten farmers from Oklahoma and Texas, the only offense in any case was written or spoken opposition to the war—or language construed by the courts as opposition to the war. Some made public speeches against the war; others were convicted for remarks in private conversation. Still others, like the I. W. W. were convicted of conspiracies to obstruct the war merely by expressing opinions in the ordinary course of their correspondence and periodical publications. The Oklahoma and Texas farmers were convicted under the Espionage Act for advocating and organizing armed resistance to the draft.

¶ Not one of the 118 still in prison was convicted of an act of violence against person or property. Not one was a German spy. The German enemy agents were released long ago. Every man now in prison was convicted **solely for opinions or activities expressing his political or economic faith.** There is no possible distinction between them within that general classification. Even in the I. W. W. conspiracy cases the appellate courts threw out all the charges which distinguished them from the ordinary "free speech" cases, leaving their offense only the expression of opinions. (Some exception to this might be taken in the peculiarities of the "silent defense" of the Sacramento case, but the essential facts are the same.) Therefore, they should all be

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FREEDOM *for* Political Prisoners

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DO YOU KNOW—These men are still held in jail serving 10 and 20 years solely for alleged expression of opinion. Convicted under a war time emergency law (Espionage Act) repealed about two years ago.

Distinguished lawyers opinions:

HON. CHARLES NAGEL, Secretary of Commerce and Labor in President Taft's Cabinet says:

"It is obvious that these men were tried under conditions of unreasoning excitement that could not obtain in times of peace, and that practically precluded unbiased judgment and fairness in the trials."

SENATOR WM. E. BORAH says:

"Some of the sentences imposed were absurdly cruel and unusual and could only have been imposed under the spirit and strain of war. Some of the facts upon which the sentences were passed are so vague and inadequate that no jury or court would regard them as sufficient for punishment in time of peace. * * *

"I believe that in many instances the whole spirit and letter of the First Amendment of the Constitution was wholly disregarded."

SENATOR GEORGE WHARTON PEPPER says:

"I am satisfied myself that in not one of the 28 cases I had looked into did the evidence justify a continuance of restraint and I then recommended to the Attorney General and also direct to the President that unconditional amnesty be granted to these men."

FELIX FRANKFURTER, of the Harvard University Law School says:

"I should like to associate myself entirely with the statement made by Senator Pepper as to the folly and injustice of continuing the confinement of our 'political prisoners.'

"The United States is pursuing a policy in this matter which history will record with shame."

MAJOR ALEXANDER SIDNEY LANIER, U. S. Army (retired) says:

"I am of the opinion that these men were convicted contrary to the law and the evidence, solely because they were leaders of a revolutionary organization against which the public sentiment was justly incensed; and that the verdict rendered was a foregone conclusion from the beginning in obedience to public hysteria and demand due to the psycology of the times."

DO YOU KNOW—All other countries which took part in the war have released their war-time prisoners years ago.

DO YOU KNOW—All the German Spies and Agents who tried to wreck our industries and shipping have long since been freed.

.LLIONS OF DOLLARS HAVE BE[illegible] .EN BY WAR
'ERS. NO PROFITEERS ARE IN JA[illegible]

(over)

+ Summer

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CENSORSHIP AND THE U. S. SENATE

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It is the same issue that was before the Senate on October 11th. It was not then and is not now a question of obscenity and immorality versus decency and purity. It is the question of whether the American reading public shall be controlled by the literary censorship of a Federal Bureau; whether Congress shall delegate to customs clerks this sort of guardianship over the minds of the American people. That is the fundamental issue, and no amount of outraged sentiment stirred by fresh Senatorial contact with indecent literature can banish or obscure this issue.

* * * * * *

Even if there were unanimous agreement on a policy of the very strictest literary censorship, there would still be no need of enacting tariff legislation on the subject. The matter is amply covered in the laws of the separate states. These laws are rigid, comprehensive, entirely adequate, and with ample provisions for enforcement.

RICHARD W. HOGUE
WASHINGTON, D. C.
FEBRUARY 5, 1930

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In The Field
In The Courts

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January, 1932

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Editor

EUGENE COTTON
Executive Director

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Secretary

INTERNATIONAL JURIDICAL ASSOCIATION
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THE NATIONAL COUNCIL ON FREEDOM FROM CENSORSHIP

100 Fifth Avenue

New York City

30 cents.

June, 1932.

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OFFICIAL REPORT
of the
Committee on the Investigation
of
Police Tactics in Charlestown
on May 17, 1934

"Any nation espousing a belief in freedom of speech will not submit to a subjugation of it under the tatoo of horses' hoofs. The brutality and officiousness demonstrated yesterday are to be deplored."

—Editorial, Harvard Crimson.

"Was it admirable police efficiency? Or was it a sadistic field-day for a bunch of burly blue-coated near-morons?"

—Editorial, Harvard Journal.

The publication of this pamphlet has been made possible through the generosity of the Harvard Liberal Club, the Harvard Philosophy Club, and several anonymous donors.

For further information, please address all communications to Adams House E-11, Cambridge, Mass.

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POLITICAL PRISONERS

PUBLICATIONS

Leon Blum

By Granville Hicks

Are men imprisoned in the United States for their political and economic beliefs? The National Committee for the Defense of Political Prisoners, as the name implies, believes they are. But usually these men are charged with violation of some law that has nothing to do with their opinions. It is therefore necessary to show that the particular charge is merely an excuse and that the real reason for their arrest is their radicalism.

The National Committee, which includes such men as Lincoln Steffens, Sidney Howard, John Dos Passos, Sherwood Anderson, and Theodore Dreiser, has recently been studying the situation in New York State. In New York all officials agree that there is no such thing as a political prisoner, and yet, as a result of the activity of the National Committee, the wardens of state prisons recently held a meeting to decide how political prisoners should be treated.

One of New York's political prisoners is Leon Blum. In 1922 Blum killed a man in self-defense, was advised by his lawyer to plead guilty to the charge of manslaughter, and was given a sentence of from seven and a half to fifteen years. In 1927 he was paroled, and, soon after, he became active in organizing laundry workers. In 1933, before his parole had expired, he led a strike in the Bronx. He was charged with having committed several criminal acts, and, though the evidence was admittedly such as would not have convicted him in a jury trial, his parole was revoked. He is now in Great Meadow Prison, Comstock, New York.

I was one of a delegation of fifteen, from the National Committee and from other organizations, that recently visited Blum. First we called on Dr. Moore, chairman of the parole Board, in Albany. Dr. Moore, while insisting that the parole board always took into consideration all the circumstances connected with an arrest, said he wasn't interested in the strike Blum had been leading. But the strike, we pointed out, is a very important circumstance in the case of Leon

(Cont. on P. 4)

He Asked For Food

All relief will be suspended, said the Atlanta commissioner of relief, early in the summer of 1932, because "there is no further need of it." If, he added, any man is in need of relief, he should come to the commissioner's office and state his case.

In July of that year, Angelo Herndon, a nineteen-year-old Negro, led one thousand Negro and white unemployed to the Atlanta courthouse in response to this invitation. The following day $6,000 was voted for relief.

Some days later, when Herndon called for letters at his mail box, he was arrested. His room was broken into without a warrant, and radical literature found there was confiscated.

For two weeks Herndon was held without any specific charge. When a writ of habeas corpus was obtained, the State brought charge under a dead letter law aimed against treason and insurrection, passed before the Civil War and amended in 1866. As amended it was intended to prevent unity between the newly freed slaves and the whites. The law carried a maximum penalty of death.

Herndon was accused of having held meetings for the purpose of bringing together Negroes and whites "under the name of the Communist Party;" of making speeches inciting to riot and aiming to transform Georgia into a Soviet State; and of circulating literature hostile to the present order, viz., "The Daily Worker", etc.

The International Labor Defense engaged two Negro lawyers, J. H. Geer and Benjamin J. Davis, Jr., to defend Herndon. The defense was unable to quash the indictments on the grounds of exclusion of Negroes from jury service. All the witnesses for the prosecution were public employees. Herndon was convicted, but the jury recommending mercy, he was sentenced to 18-20 years on the Georgia chain gang on charges of "attempting to incite insurrection" and "distributing insurrectionary literature."

"As fast as the Communists come here, we shall indict them", said the Reverend John Hudson, prosecutor, "and I shall demand the death penalty in every case." Yet the Communist Party is represented on the ballot in Georgia, and Communist literature is to be found in public libraries of every state.

Herndon has suffered the most barbarous treatment in jail. He has been forced to eat rotten food and reports having found stones in it. He was kept in a cell with a corpse for several days. For some time a leaky toilet pipe dripped into his cell. He has been suffering from acute stomach trouble, and it is only recently that the medical authorities, under the pressure of widespread protest, have accorded him any attention.

A motion for re-trial was argued before Judge Lee B. Nyatt, the original trial judge. The motion was denied. More than six months ago, an appeal from the conviction was made before the Georgia Supreme Court. No decision has yet been handed down.

The National Committee has been active in arousing public opinion to protest the unjust and unconstitutional treatment accorded Herndon. Through the Committee all persons interested in the case, may send resolutions to Assistant Solicitor General John Hudson, urging that Herndon be immediately released on bail pending a speedy decision on the appeal.

The National Committee is also active in a Herndon Defense Committee, which includes representatives of the International Labor Defense, the League of Struggle for Negro Rights, the National Students League and other or-

(Cont. on P. 2)

Something Actual You Can Do

Three months ago the National Committee started a budget drive to raise $4,500 for annual administration expenses. The method is to invite those interested in our work to become annual contributing members at $10 a year and supporting members at $25 or more a year. Also we asked members to arrange small meetings at the home of their friends where speakers from the Committee would tell of our work. We have had two successful "budget drive parties" and hope to have many more.

Contributing and supporting members will receive copies of the bulletin, be kept informed of the work of the Committee, be our guests at all meetings and affairs given under our auspices, and receive a copy of "Harlan Miners Speak", a book telling of one of our past activities—the Kentucky coal strike of 1931-1932.

We hope that readers of this bulletin will help our work by becoming annual contributing or supporting members, and or by arranging a small meeting in their homes or those of friends, to which the committee will be glad to send a speaker.

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A National Inventory of Human Welfare

No. 6. Civil Liberties

The situation with reference to civil liberty in the United States looks very different from the two angles from which it is frequently surveyed. The attempt to paint the picture in uniformly dark colors is nullified by a look abroad. That our freedom to move about without surveillance by police, to leave the country and return to it, to read a press uncontrolled by the government, to attend meetings of almost every conceivable kind, to belong to any religious group, and, broadly speaking, to belong to any political party, to criticize the government for any reason or no reason—that these privileges are in sharp contrast to what citizens of some countries have to endure should go without saying.

On the other hand this very contrast may blind us to many aspects of contemporary American life that contradict the tradition of civil liberty. The important matter is not the contrast between this country and some other but the conditions within this country. And it is important that we understand the factors upon which our liberties depend. Let us look at the areas in which civil liberty is conspicuously an issue at this moment.

First in respect to seriousness and long duration, is the fact which the Scottsboro Case has served to bring freshly to light, that civil liberty exists only in extremely limited form for a large section of our population—our 12 million Negroes. This is not a contention: it is an admitted fact. Exclusion from jury service, now advertised by a Supreme Court decision, is only one aspect of Negro status which makes citizenship a very doubtful asset.

The second major area of disqualification for the exercise of civil rights is the industrial population. In those industries where the workers have not gained security of status through organization the dependence of civil rights on economic status is a patent fact. The Southern coal fields, Imperial Valley and the share-cropper cotton country bear startling testimony to it. Broadly speaking, the freedom to strike, to picket establishments which practise discrimination, and to hold meetings for labor organization can be said to be established in America only to the extent that labor strength or liberal sentiment, or both, have nullified the forces of exploitation. The use of injunctions in industrial disputes is a notorious means of oppression. Some progress has been made through enactment of a federal law and state laws regulating the practice, but the evil continues. The court injunction, supposed to be an instrument of equity, is still frequently invoked to rob labor of its one resource in industrial conflict. Theoretically a means for preventing injury in a critical situation where no adequate redress at law would be available, the injunction is often a means of conferring privileges upon employers which are quite without legal warrant.

Tom Mooney is still in jail in spite of the fact that the gravest doubt has existed for years in the minds of wholly disinterested people as to his guilt.

Agitation is widespread for the enactment of sedition laws which, as will be presently shown, were long ago adjudged incompatible with American democratic tradition. Fresh outcroppings of vigilantism show how readily, in spite of all our political institutions, justice may be made a matter of the caprice of a crowd.

A movement has been gaining headway to require teachers in tax-supported and tax-exempt institutions to take an oath of allegiance to the federal and state constitutions—a comparatively simple act and plausible enough, save that it is being urged by those who seek by means of it to restrain liberties which those constitutions are supposed to establish.

Lovers of liberty are increasingly concerned over indications from many sources that the mood of the country is conducive to the growth of fascism. Fascism is an attempt by political means to "peg" the economic situation at a point where maximum security of existing property rights can be maintained. The problem that the threat of fascism presents is the problem of defending the liberties of the whole people as against the privileges of a part of the people.

The struggle over civil liberty, which is going on constantly in this country and in other countries, is accentuated by the political and economic strain and uncertainty through which we are passing. More important even than the facts of the present situation, which informed people know well enough and which candid people admit, is a consideration of the factors which determine the extent of liberty which prevails in any society.

The Nature of Liberty

"Liberty," said Harold Laski in a recent address in New York, "must be won every day, as love must be won every day." In this country we have commonly assumed that political liberty is a principle established in the American system of government and that it is a concept

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#18

Principles of Academic Freedom

A statement prepared as a basis for discussion and action by the Committee on Academic Freedom of the American Civil Liberties Union

SUMMARY

1. *No interference with freedom of teaching in adult or higher education except upon judgments of juries of educators; not in lower schools except upon judgments of composite juries of administrators, community and teachers.*

2. *No limitation on classroom discussion relevant to the subjects taught.*

3. *Outside of schools, the same freedom for teachers as other citizens, with encouragement of participation in public affairs.*

4. *No interference with the right of teachers to organize for their own protection and freedom of teaching and to affiliate with labor.*

5. *No unreasonable interference by legislatures with the school curriculum, the control of which should be vested in educational authorities and the teaching profession.*

6. *No compulsory religious practices in the schools, such as Bible-reading.*

7. *Protection of the rights of students to organize for discussion of public issues, without faculty control. No disciplinary action against students because of religious, political or other views or activities.*

8. *Opposition to all special oaths of loyalty for teachers as unfair discrimination and as harmful to free and open critical inquiry.*

9. *Strong tenure laws in all states to protect teachers against unjust dismissal.*

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CENSORSHIP IN BOSTON

#20

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- The guarantees of civil liberty all denounce censorship in advance, leaving the determination of law-breaking to the courts.
- But in Boston the theatre is censored by a public board; motion pictures are censored on Sundays by state police; the sale of books is censored by the trade through threat of prosecution under an untested law; the sale of magazines on news stands is controlled by an arbitrary police censorship.
- The law may be better than it used to be but the administration of the law is just as vicious as it has always been.
- Read the facts — and lend your aid through the Civil Liberties Committee of Massachusetts.

Published by the
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ATTORNEY GENERAL OF THE UNITED STATES

ON

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ARRANGED BY THE WASHINGTON EVENING STAR
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BROADCASTING COMPANY

▼

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Room 1402, 305 Broadway, New York City

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TO BE PUBLISHED IN JANUARY 1941

A HISTORY OF CIVIL
LIBERTY IN ILLINOIS
1787 1940

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PURSUIT OF FREEDOM

compiled by the
Workers of the Writers' Program
of the
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AMERICAN COMMITTEE FOR DEMOCRACY AND INTELLECTUAL FREEDOM

(*Founded on Lincoln's Birthday, 1939*)

519 WEST 121st STREET, NEW YORK CITY

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PROF. H. B. WILLIAMS *Columbia University*
PROF. DONALD WILLIS *Stanford University*

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FOR RELEASE WEDNESDAY, MAY 15th

SEP 15 1939

A special resolution calling upon "all thoughtful and responsible public officials and especially upon all school and college officials urging constant vigilance and protective action to maintain these essential liberties for all students and student groups without control or interference by governmental or other agencies" was issued yesterday by the American Committee for Democracy and Intellectual Freedom.

In announcing the adoption of this resolution, Prof. Franz Boas, Chairman of the American Committee said: "Our Executive Board prepared this resolution, which was then adopted by the full membership of the Committee, because we realize that recent developments in the European war are creating tensions and a false 'patriotism' in our own country which must not be allowed to interfere with the free discussion and study which is essential in a democratic educational system. There are already too many cases where government and school authorities, under the guise of an emergency situation, are seeking to prevent students from giving expression to their attitudes on the war and kindred subjects. Such freedom of expression is their right and this right must be protected now, in time of crisis, even more than in less turbulent times."

The full text of the resolution follows:

WHEREAS, the Constitution of the United States of America in Article 1 of the Bill of Rights guarantees that there shall be no abridgment of freedom of speech, press and peaceful assembly, and

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NEW YORK CONFERENCE FOR INALIENABLE RIGHTS
Suite 1402 303 Broadway New York City

MEMORANDUM

on

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SEP 19 1978
EXCHANGE AND GIFT DIVISION

RECORDS OF NEW YORK CONGRESSMEN AS DEFENDERS OF CIVIL LIBERTIES IN 76TH CONGRESS

(NOTE:- We list below the votes of New York City's Congressmen on the 13 legislative measures which most directly affect civil rights and democratic opportunities. We have indicated in most instances the purpose rather than the name and the number of the measure. A vote to recommit a bill to committee is often a vote to kill it. The reader will find slightly different characterizations of the same bill in the text because in a number of instances the same bill contains a variety of anti-democratic or pro-democratic provisions. Besides the attached chart indicating the nature of the vote of all the city's congressmen, we list in separate categories those congressmen with the worst records, and those with the best records.)

CONGRESSMEN WITH DECIDEDLY ANTI-DEMOCRATIC RECORDS: Barton, Barry, Somers, Gavagan, O'Leary, Celler and Fitzpatrick.

Bruce Barton (R. 17th C.D.) (NOTE: Many upstate Republicans voted as Mr. Barton did on bills affecting economic and social security of majority.)

On Bills Curbing Civil Liberties: Voted for anti-democratic provisions of Conscription Bill; for Walter-Logan Bill to cripple liberal government administration agencies; for bill to permit wire-tapping; for continuation of anti-labor Dies Committee.

On Rights of Minorities: Voted for alien-baiting Smith and Hobbs Bills and 1940 fingerprinting and Registration of all non-citizens in the Alien Registration Act.

On Bills Affecting Economic and Social Security of Majority: Voted against WPA and National Youth Act appropriations; and against aid to the country's impoverished farmers.

Joseph I. Gavagan (D. 21st C.D.)

Although, safely, co-author of the Anti-Lynching Bill, his civil liberties record is that of voting favorably for bills removing over two and a half million workers from benefits of Wages and Hours Act;for deportation of labor leader Harry Bridges; and against government aid to farmers. He likewise voted with the "regulars" for the Alien Registration Act of 1940, reversing his previous vote against the Smith and Hobbs anti-alien bills; for continuation of labor-baiting Dies Committee; and for the anti-democratic provisions of the Conscription Act.

M. A. Barry (D. 2nd C.D.)

Besides voting with the "regulars" in the 1940 "war" session to continue the anti-labor, anti-democratic Dies Committee, for the Alien Registration Act and for the anti-democratic provisions of the Conscription Act, Mr. Barry also voted for the Walter-Logan Bill crippling progressive administrative agencies, especially the NLRB; for the Hobbs Concentration Camp Bill; for investigating the NLRB; and against government aid to farmers; and for the deportation of labor leader Bridges.

Emanuel Celler (D. 10th C.D. Bklyn)

Besides voting with "regulars" for anti-democratic provisions of Conscription Act, he introduced and championed a resolution to permit wire-tapping by the FBI despite the Supreme Court finding that it was illegal and dangerous to democracy and a Senate Committee's finding that it was a vicious practice. His championing of the alien and foreign-born in the 1939 session was cynically reversed in the 1940 session when he voted for deportation of labor leader Bridges; continuation of the Dies Committee; and for the very provisions in the Alien Registration Act similar to those in the Smith Bill which he had attacked in 1939

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Call

to a

Conference

on

Constitutional Liberties in America

June 7, 8 and 9

Washington, D. C.
National Press Club Auditorium
Fourteenth and F Streets, N. W.

11-1597 2-1870
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Call

TO A

GREATER NEW YORK EMERGENCY CONFERENCE ON INALIENABLE RIGHTS

TO BE HELD ON

Monday, February 12, 1940 at 2 P. M.

AT

TWO WEST SIXTY-FOURTH STREET - NEW YORK CITY

THE MEETING HOUSE OF THE SOCIETY FOR ETHICAL CULTURE

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SEP 1 0 1978

Organized anti-democratic forces are threatening the security and freedom of human personality and the rights of minority groups here in the United States. They are dividing, confusing and weakening those who wish to maintain our free democratic institutions. Such forces of oppression and fear, growing stronger because of the war in Europe, must not be permitted to overwhelm us. Never before have our constitutional liberties been under such concerted attack.

At this moment we have a special responsibility as a united people to meet our danger and to protect our rights. The churches, schools, labor unions, settlements, fraternal orders and organizations for service, and the many smaller free associations of the people are centers of powerful influence. Only by their concerted action can we hope to counteract the attacks made on minorities by organized groups who take the law into their own hands, and by those who would use legislation against the foreign-born as a subterfuge to impose upon us drastic restrictions of our civil rights—fingerprinting, concentration camps, segregation, and the denial of our rights of protest. Concerted action is particularly necessary to defend our security and standards of living from organized attack.

There are literally thousands of non-political organizations in the City of New York which are vitally concerned with the maintenance of the Bill of Rights. This call to a Conference is addressed to them. In this Conference they will determine the best and most fruitful methods of coping with the dangers threatening them in their local neighborhood communities and in the legislative assemblies of the state and of the nation.

This Conference has been initiated by the National Emergency Conference, Franz Boas, Chairman. The administrative responsibilities are being carried by the New York City Co-Ordinating Committee for Democratic Action. The whole Conference is under the direction of the Executive and General Committees listed in this call.

ROBERT W. SEARLE, Chairman

GREATER NEW YORK EMERGENCY CONFERENCE ON INALIENABLE RIGHTS
Room 508 2 West 43rd Street, New York City Tel PEnnsylvania 6-7948

61-7559-2-7171

NOVEMBER 26, 1941

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THE BULLETIN

of

THE LEAGUE OF AMERICAN WRITERS, INC.

381 Fourth Avenue, New York.

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To file 5/11

FLASH

WORD RECEIVED SEVEN MORE ANTINAZI WRITERS SAVED BY EXILED WRITERS COMMITTEE OF LEAGUE HAVE JUST SAILED FROM LISBON VIA CASABLANCA FOR MEXICO STOP THEIR RESCUE MADE POSSIBLE BY YOUR CONTRIBUTIONS AND COOPERATION OF HEBREW SHELTERING AND IMMIGRANT AID SOCIETY WHICH ARRANGED BOAT DIRECT FROM PORTUGAL TO VERACRUZ AND FACILITATED RELEASE FROM FRANCE OF WRITERS REGARDLESS OF RELIGION STOP THIS PROVES THAT IN SPITE OF INCREASING DIFFICULTIES EXILED WRITERS COMMITTEE CAN EVACUATE REMAINING EIGHT ANTINAZI WRITERS KNOWN POSSESS MEXICAN VISAS ON NEXT BOAT IF FUNDS AVAILABLE IMMEDIATELY.

RECORD OF LEAGUE ACTIVITIES

Sept. 29: The League supported the Stop Film Censorship Committee at its first conference in New York. This Committee, fighting appeasement-inspired censorship moves, has succeeded in scotching a pro-Nazi maneuver.

Oct. 6: The Writers School in New York opened its twelfth term with 185 students -- more than ever before.

Oct. 9: New York dinner for refugees held by the Exiled Writers Committee of the League, the American Committee to Save Refugees and the United American Spanish Aid Committee. Lillian Hellman, Ernest Hemingway, co-Chairmen. Speakers: Eric Knight, Johannes Steele, Paul Robeson, Emil Lengyel, Diana Forbes Robertson, Samuel L. M. Barlow, Capt. Kornikov, Edgar Snow. Contributions to evacuate anti-Nazi refugees from France netted $6,500.

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FROM:
Miss Rosalie Manning, President
NEW YORK CONFERENCE FOR
INALIENABLE RIGHTS
1123 Broadway, NYC
CHelsea 2-1147

SEPTEMBER 11th, 1941
FOR RELEASE P.M. PAPERS SEPT. 11TH
and thereafter

SEP 19 1978
COPY
FBI - NEW YORK

DIES' ATTACK ON HENDERSON CALLED ATTEMPT TO IMPEDE ADMINISTRATION'S DEFENSE EFFORTS AS WELL AS EFFORTS TO PREVENT UNWARRANTED RISE IN LIVING COSTS

Representative Martin Dies' attack upon Mr. Leon Henderson, head of the Office of Price Administration, today was called an attempt to impede defense and the efforts of the Administration to prevent an unwarranted rise in living costs in a letter sent today (Thursday, Sept. 11) to President Roosevelt by Miss Rosalie Manning, President of the New York Conference for Inalienable Rights.

Miss Manning's letter assured the President of the Conference's fullest support of the President's and his appointees' efforts to protect American consumers from exploitation through the office of Price Administration.

"We feel sure," said the letter," that the American people will recognize the attack of Representative Dies and certain of his aids upon Mr. Leon Henderson for what it is. Mr. Dies' use of his customary tactics to discredit Mr. Henderson might well have the effect - in all probability the intentional effect - of thwarting your administration's highly proper attempts to secure legislation to control an unwarranted rise in living costs, when every patriotic citizen wants to aid the defense program."

The President, through his secretary, Stephen Early, has already indicated interest in the plans of the New York Conference for Inalienable Rights for a statewide Conference to Protect Consumers in New York City, October 25th, Miss Manning announced. The Conference is expected to evolve ways of enabling the population to cooperate more fully with the administration in its efforts to protect the living standards of the population during the national emergency.

The text of Miss Manning's letter to the President, a copy of which was sent to Mr. Henderson, follows:

"Dear Mr. President:

"We feel sure that the American people will recognize the attack of Representative Dies and certain of his aids upon Mr. Leon Henderson for what it is. Mr Dies' use of his customary tactics to discredit Mr. Henderson might well have the effect - in all probability the intentional effect - of thwarting your administration's highly proper efforts to secure legislation to control an unwarranted rise in living costs, when every patriotic citizen wants to aid the defense program.

"As you have clearly seen, it is of the utmost importance that ch legislation be passed. Without it there is the gravest danger that the con-

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WHAT IS THE CIVIL RIGHTS FEDERATION?

#31

The Civil Rights Federation is a state-wide civic and educational organization united more than 300 Michigan organizations, with a combined membership of more than 500,000. It was formed in the Spring of 1935 (7 years ago) for concerted action in defense of the Bill of Rights.

The Federation functions through: (a) monthly conferences, at which regular delegates elected by affiliated organizations determine policy and guide action; (b) weekly Steering Committee meetings, carrying on the work between conferences; (c) annual state-wide conferences, mass meetings, special conferences, delegations legislative hearings, etc. (d) an office staff, supplemented by volunteer workers to carry on day-to-day activities.

The Federation frequently issues reports, leaflets, resolutions, Action letters etc., to inform affiliated and cooperating groups on current issues and to recommend appropriate action.

The organizations affiliated to and cooperating with the Federation - church, farm, labor, civic, professional, nationality, Negro, fraternal, and others - recognize the essential truth of the historic slogan; "Eternal Vigilance is the Price of Liberty". For them, the Civil Rights Federation is an instrument for maintaining that vigilance.

Today, when the Bill of Rights is in more deadly peril than ever before in the history of our nation; when national unity is the precondition for Victory and therefore for the survival of our freedom; when anti-democratic practices and discrimination are increasingly recognized as barriers to the utilization of all our human resources in our common struggle to win the war, the work of the Federation is seen to have a new and vital importance to the people of our State and Nation.

The Civil Rights Federation is affiliated to the National Federation for Constitutional Liberties, which maintains offices in Washington and New York and unites the efforts of the Michigan Federation with other similar groups in many states.

The Federation invites organizations of all types to affiliate to it. Affiliation means simply :

(1) electing delegates to attend weekly Steering Committee meetings and monthly conferences regularly. (Organizations with 500 members or less should elect two delegates; 500-1000 members, 3 delegates; one additional delegate for each 5000 members.)

(2) voting a monthly contribution of a voluntary amount. (Usual amounts donated monthly by the Federation's affiliates vary from $2.00 in the case of small organizations to one-half cent per capita in the case of large groups such as labor unions.

Organizations which affiliate are entitled, through their delegates, to exercise an equal voice in determining the policy of the Federation. Affiliation to the Civil Right Federation enables organizations concerned with the defense of America's freedom to make the most effective contribution to the carrying out of the important objectives set forth by the Conference.

The President of the Civil Rights Federation is Prof. John F. Shepard of the University of Michigan. Jack Raskin is Executive Secretary.

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FIGHTERS FOR FREEDOM NEED FACTS

In this total war for freedom, we can survive, defeat fascism, and win victory only if we are alert to all forms of enemy attack. There are battles of ideas as well as of tanks and guns and planes. If we are to support our fighting fronts and secure our precious heritage of liberty, each one of us must be armed on the idea front with FACTS. The NATIONAL FEDERATION FOR CONSTITUTIONAL LIBERTIES (1123 Broadway, New York 10, N.Y.) offers you such factual assistance.

NFCL SUBSCRIPTION SERVICE

Through the combined facilities of a Washington Bureau intimately in touch with developments on Capitol Hill and in the administrative offices, and a National Office in New York City with nation-wide contacts, field work and sources of information, NFCL offers you and your organization a unique information subscription service. It is designed to help you take timely and effective action on important national issues.

ACTION LETTERS - brief, one-page legislative bulletins issued every ten days - give busy people the background current developments, and essential action proposals on the most important current civil rights issues. . . The NFCL MEMORANDUM SERIES provides detailed, factual and documented material on the outstanding civil rights issues during the year. . . POPULAR PAMPHLETS are published occasionally. . . Organizations receive prompt advisory assistance from the Staff.
Subscription service: for organizations $5 per year; for individuals, $3.

* * * * *

CURRENT PUBLICATIONS

ANTI-DISCRIMINATION PETITION - 1¢ per copy; $10 per thousand.
Attractive, two-color petition entitled "Defend America! Jail the Seditionists, Outlaw the Klan, Smash the Fifth Column!". Urges President Roosevelt to use proper Government resources immediately to end discrimination against minority groups, particularly to curb anti-Negro and anti-Semitic activities, and guarantee there be "no more Detroits". 22 signature lines.

ANTI-DISCRIMINATION LEAFLET - 1¢ per copy; quantity rates upon request.
Stresses the will to national unity and to Victory of the great majority of the American people. Insists that discrimination against minority groups is un-American and limits complete utilization of all our people's talents and energies in the war effort. Calls for immediate action against all fifth column elements. 8½ x 5½, one-fold leaflet, for distribution to every individual in your organization.

SMASH MICHIGAN'S FIFTH COLUMN! Illustrated, 40 pp. Presents facts concerning the Klan, Gerald L.K. Smith and other seditionists behind the recent fifth column race riots in Detroit. These riots and their instigators were justified by poll taxers in Congress.
Single copies 5¢; 100 copies $4.50; 1000 copies $40.00

POLL TAX REPEAL - A PRIORITY FOR VICTORY - 10¢ per copy. Unique comprehensive survey of the far-reaching effects of the poll tax on every American citizen, on the nation's war effort, and the international scene. Gives statistics on the poll taxers and their control. Provides data on constitutionality aspect of poll tax repeal. Details current anti-poll tax campaign and suggestions for individual and organizational action needed.
50 copies $2.50; 100 copies $4.50; 1000 copies $37.50.

(more)

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Call to

STATE-WIDE

CONFERENCE

MASONIC TEMPLE

SUN., SEPT. 12th -:- 1:30 P. M.

CIVIL RIGHTS FEDERATION

THE NEW FRATERNITY
Literature & Music
Sewickley Pennsylvania
#34
X-JC599
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Copy A

November the First
1 9 4 4.

Governor Thomas E. Dewey,
Albany, New York.

Dear Sir:

When you receive this letter, you will have received (and read, I hope) my 12-page mimeographed article which, either complete or in part, has been mailed to practically every REPUBLICAN lawmaker in the United States of America: to Governors, State Senators, Representatives, Delegates, Assemblymen, United States Congressmen — not to the latter's addresses in the Nation's Capital but, as also in the case of State Congresses, to their homes in the thousands of towns and cities to which they have returned to campaign and vote for you. Copies have also been sent to the Chairmen and Vice-Chairmen of the REPUBLICAN *National* Committees in all the states, to the Chairmen and Vice-Chairmen of all REPUBLICAN *State* Committees, and, in the case of my own Pennsylvania, to the Chairmen and Vice-Chairmen of all REPUBLICAN *County* Committees, and to all REPUBLICAN New York *City* Committees where you will make your final speech at Madison Square Garden.

These copies were started out to the Pacific Coast immediately after your speech in Chicago; and *before* President Roosevelt's speech in Philadelphia on the following Friday, Oct. 27th, the last one of the many thousand copies had been deposited in a United States Post Office. Hundreds of them were, like your own, moving eastward and hundreds westward from Pennsylvania simultaneously with the train which was taking the President to his farthest western penetration; if there was a Mail Coach on his Special, the same steam that was pulling him to Chicago to counteract your efforts there, was also pulling *them* there to counteract *his*.

I had been working on my article long before you spoke at Oklahoma City; but after that speech (in which you completely changed the tactics of your oratory) I removed a certain paragraph, and I would have made other changes, omissions and additions, as time and speeches went on — but since it is and will be *my* only "speech," I had to get it "in print" in time for distribution. All I can do is to supplement it with this personal letter in which I shall make some assertions which may be regarded as final and unalterable *on my part* but which, I trust, will cause *you* to alter, in your final speech, some of the assertions you made and may have repeated in those which have preceded it.

Your speech on Honesty in Government was indeed splendid; but was not 100% honest in itself. No man who unconsciously utters a falsehood can honestly be called a liar. The numerous citations you have made from President Roosevelt's former papers and public prattle to prove that he contradicts himself are monotonous and meaningless and will become increasingly so unless you openly admit the real reason for your researches: to prove that Mr. Roosevelt's mind has degenerated to a puipy state whose emanations indicate that he is no longer responsible for what he "thinks" and says. What you consider dishonesty on his part is just plain insanity. And if you will observe the how and when of the applause of those who, in goosey admiration, take him "seriously," you cannot fail to conclude that they also are imbecile.

However, Mr. Roosevelt's own insanity is by no means an all-of-a-sudden and temporary case like the war-hysteria that is warping so many minds of today for the time being. His psychotic condition has always been more or less apparent. His own mother admitted covertly what the Roosevelt family physician, now deceased, confessed with far more openness; and his conversion to Roman Catholicism, in fancy if not in fact, has completely nullified the functioning of his conscience so that he is entirely self-forgiving of all his sins and crimes. This, combined with a war atmosphere, has given his psychosis the opportunity to soar to the same bewildering height to which it has rocketed our National Debt: all the way to the moon, from the Latin word for which our word lunacy is derived. His mania is sometimes laughable and sometimes lamentable respectively like a Simple Simon and like a veritable King Lear wandering through the rain and wind of a Long Island heath.

The war, which, I repeat, has unbalanced many a mind that in normal times is stable, has, I also repeat, raised Roosevelthan Having to the n-th power. The speech at Philadelphia, overflowing with his (?) "accomplishments" as Commander-in-Chief, was insane from beginning to end in praise of the wherewith and sustenance for perpetrating dissipation debt, destruction and death. Can there be any sanity in the New Deal "laws" which have enabled it

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HOUSE OF REPRESENTATIVES U. S.
COMMITTEE ON UN-AMERICAN ACTIVITIES
WASHINGTON

SEVENTY-NINTH CONGRESS

JOHN E. RANKIN, MISS., CHAIRMAN
J. PARNELL THOMAS, N. J.
J. PARKER, N. C.
J. E. WADSWORTH, N. Y.
J. E. MURDOCK, ARIZ.
JOHN R. MATTHEWS, FLA.
ROBERT C. BOREN, OKLA.
JOHN W. CARRINGTON, CLERK

GERALD W. LANDIS, IND.

January 29, 1946

#35

Veterans Against Discrimination
Hotel Diplomat
108 West 43rd Street
New York, New York.

61-7559-2-588
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EXCHANGE & GIFT

Gentlemen:

Would you please be good enough to send me a list of your officers and your managing committee?

Several of your circulars have been sent to us by citizens of your city and I note that you refer to democracy several times. I wonder if you are sufficiently familiar with the history of the United States to be aware that this country was not organized as a democracy, but that Section 4 of Article 4 of the Constitution reads in part as follows: "The United States shall guarantee to every state in this union a republican form of government."

Is it your purpose to ask for an amendment of the Constitution or do you propose to conduct a propaganda campaign against the administration of the provisions of the Constitution?

Yours very truly,

Ernie Adams
Chief Counsel

Says Rankin!

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"I speak because I am an American and as an American, I shall always resist any attempt at the abridgement of freedom"

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Katharine Hepburn

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INTERQUADRANGULAR

An Independent Yale Paper

SEP 19 1978

#37

"ASSASSINATION" AS AN ART

by

GEORGE
FREDERICK
GUNDELFINGER

published by

THE NEW FRATERNITY

Literature & Music

Sewickley Pennsylvania

61-15 1-2-1939

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VATERLAND
—AND—
ALMA MATER

Where'er upon the sea of life we sail;
For God—for God, for Country and for Yale.

sung to the tune of

Fest steht und treu die Wacht—die Wacht am Rhein;
Fest steht und treu die Wacht—die Wacht am Rhein.

by

GEORGE FREDERICK GUNDELFINGER

Degrees Conferred by Yale:
Ph.B. (1906) Ph.D. (1909)

Indictments "Conferred" by Yale:

No.	10325	Criminal	(1939)
No. E-	3871	Criminal	(1940)
No. E-	4873	Criminal	(1947)

formerly INSTRUCTOR or PROFESSOR of Mathematics at Yale University, University of Pittsburgh and Carnegie Institute of Technology; *more recently* INMATE-CLERK of Correspondence Courses at the United States Medical Center for Federal Prisoners.

AUTHOR of *Ten Years at Yale; The Decay of Bulldogism; The New Fraternity's Part in the New Yale; A Step Towards Yale's Americanization; Football-Fraternities-Funerals; Concerning Yale's Next President; Dictators Diverse (Defeat of the Court-Packing Bill); Yale's New Fraternity versus Roman Catholic Fascism; Roosevelt, Hitler and Neutrality; A Needless (?) Introduction to Seymour's "Yale;" "Wooden-Head Son-of-a-Bitch;" WAR as a Means for Abolishing WAR; Concerning Labor Strikes; Yale's New Fraternity Among FDR's United Nations.*

EDITOR of INTERQUADRANGULAR—an Independent Yale *Paper*, also an Independent Yale *Column*.

COMPOSER of "The Adventures of Jack" (A Song Comedy); "Ring Gypsies" (A Romantic Opera); Three Love Songs; etc.

published by

THE NEW FRATERNITY
Literature and Music
Sewickley Pennsylvania

From
National Committee to
Defeat the Mundt Bill
930 K Street, N. W.
Washington 1, D. C.

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THE BILL OF RIGHTS

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SEP 19 1978
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and

THE MUNDT-FERGUSON BILLS

(S. 1194 and S. 1196)

AN ANALYSIS OF THE PROVISIONS AND
OPINION ON THEIR CONSTITUTIONALITY

Prepared by
NATIONAL LAWYERS GUILD
902 20TH STREET, N. W.
WASHINGTON 6, D. C.

X-JC 594
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61-7559-2-6547

CIVIL LIBERTIES IN MARYLAND ARE AT STAKE!

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CHARGE DIVISION

#40

"IF THERE IS ANY FIXED STAR in our Constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."

(U. S. Supreme Court—Bd. of Education vs. Burnette)

Sign the Petition to Initiate a REFERENDUM ON THE OBER LAW

~~ENCLOSURE~~
362504

e News 4/2

Y FOR TOLERATION

before last, on the eve, so to speak, tion Week, Gov. Lane signed the ich the Legislature had recently

law is ostensibly aimed at Com- at's a good target. Communists . However, a good many thought- onsible Marylanders, who aren't think the law is also a grave freedom in the state.

they say, merely "advocating, ing or teaching" of any "altera- ws of Maryland by "other unlaw- uld bring fines from $5000 to prisonment from 5 to 20 years. pponents have said "alteration" means" are not defined, and ask; invoked against those— in a labor dispute? abolition of segregation? the domestic or foreign policies party in power? r discussing controversial ideas? ysicians, ministers, lawyers and who opposed the bill said in a der it:

guage fraternal orders could be sive.

an zations collecting funds for declared subversive, because gn nation, and Section 1 of the "foreign subversive organiza-

ganizations could be accused of ol controlled directly or indi- gn power, as has been done in

• • •

body has a nice ti

IER FEBRUARY, 1949

—How would you like to turn from lice sitting in the rear of your room? arents of the children that you teach? neral Assembly of Maryland, which

of the Governor's Commission on r report. We do believe, however, which will "protect our Democracy" any public employee—including the *re not present in the proposed law.* Communist; I don't mind signing an suspected every time I walk into the ation does not approve the proposed present form. Unless it is amended to safeguard innocent citizens, the Association will work to prevent its passage.

ousness of the Communist ... the more imperative that freedom-loving people maintain their sense of balance. We should think the Free State would be the last to succumb to the hysteria of professional Red-baiters who seem to be more interested in running down a Commie or fellow traveler than in the protection of their political heritage.

Sign the REFERENDUM Petition

LET THE PEOPLE OF MARYLAND SPEAK THEIR MINDS DIRECTLY IN A REFERENDUM AT THE NEXT ELECTION

☆ ISSUED BY THE MONTGOMERY AND PRINCE GEORGES COUNTY CITIZENS COMMITTEE FOR A REFERENDUM ON THE OBER LAW

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The Rights You Save May Be Your Own

#41

By Simon W. Gerson

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Chicago Joint Defense Committee to Defeat the Smith Act -Jan.1957

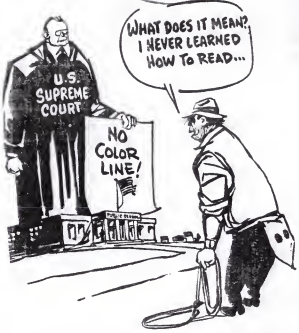
Copy 1

Force & Violence vs Constitution

". . . the Supreme Court is there for life, and there's nothing you can do about it. An impeachment is silly. I mean it's just—it's so hard to accomplish that it's probably easier to assassinate a man." . . . John Kasper, as recorded on Edward Murrow's "See It Now" program Sunday, January 6th.

SEP 13 1978
ECONOMICS

Since the historic unanimous opinion of the U. S. Supreme Court in 1954 ordering the desegregation of public schools, the principle of equal rights regardless of race or color has been re-affirmed in a series of clear-cut decisions. Each has been countered with increasing terrorism by the Ku Klux Klan, the White Citizens Councils, and other organizations dedicated to overthrowing the U.S. Constitution and federal authority by "force and violence." Every passing day brings new reports of floggings, shootings, bombings, and dynamiting directed against Negro citizens whose sole offense has been the assertion of their rights guaranteed by the U. S. Constitution and the federal courts.



Local government Joins mob

Many Southern state and local governments have openly joined the mob in defiance of the U.S. Government. Not only is protection of the life and property of Negro citizens denied in practice, but Negro leaders are arrested and prosecuted for giving practical effect to federal court orders. Despite the peaceful methods and ministerial leadership of the Negro civil rights movement, its most important organizations are being outlawed in eight Southern states.

The FBI 'Investigates'

The Justice Department has (with but one exception) limited its action to "investigating" --as in the Till lynching.

(continued next page)

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#43

FREE SPEECH *and* FREE PRESS

By HARRY WEINBERGER
Of the New York Bar

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The first casualties of war are Free Speech and Free Press

Published by the Author
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CIVIL LIBERTIES IN THE U.S.A.

A Short History of the Origin and Defense of the Bill of Rights

By S. SMALL

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The New York Conference for Inalienable Rights

305 Broadway WOrth 2-5078 New York City

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"PROCLAIM liberty throughout all the land to all the inhabitants thereof—"

Quotation from Leviticus on the Liberty Bell

☆ ☆ ☆ ☆ ☆ ☆ ☆ ☆ ☆

ORIGIN OF THE N. Y. C. I. R.

CONFERENCE SERVICES

THE NYCIR'S RECORD

THE NYCIR'S RECORD CONTINUED

WHAT YOU CAN DO!

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While you're not looking....

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THIS IS AMERICA!

#47

THE BILL OF RIGHTS

AS SET FORTH IN THE FIRST TEN AMENDMENTS TO THE CONSTITUTION. PROPOSED TO THE STATES BY CONGRESS ON SEPTEMBER 25, 1789, AND RATIFIED ON DECEMBER 15, 1791.

ARTICLE I

CONGRESS SHALL MAKE NO LAW RESPECTING AN ESTABLISHMENT OF RELIGION, OR PROHIBITING THE FREE EXERCISE THEREOF, OR ABRIDGING THE FREEDOM OF SPEECH, OR OF THE PRESS, OR THE RIGHT OF THE PEOPLE PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES.

ARTICLE II

A WELL REGULATED MILITIA BEING NECESSARY TO THE SECURITY OF A FREE STATE, THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS SHALL NOT BE INFRINGED.

ARTICLE III

NO SOLDIER SHALL, IN TIME OF PEACE BE QUARTERED IN ANY HOUSE, WITHOUT THE CONSENT OF THE OWNER, NOR IN TIME OF WAR BUT IN A MANNER TO BE PRESCRIBED BY LAW.

ARTICLE IV

THE RIGHT OF THE PEOPLE TO BE SECURE IN THEIR PERSONS, HOUSES, PAPERS, AND EFFECTS, AGAINST UNREASONABLE SEARCHES AND SEIZURES, SHALL NOT BE VIOLATED, AND NO WARRANT SHALL ISSUE BUT UPON PROBABLE CAUSE, SUPPORTED BY OATH OR AFFIRMATION, AND PARTICULARLY DESCRIBING THE PLACE TO BE SEARCHED, AND THE PERSONS OR THINGS TO BE SEIZED.

ARTICLE V

NO PERSON SHALL BE HELD TO ANSWER FOR A CAPITAL, OR OTHERWISE INFAMOUS CRIME, UNLESS ON A PRESENTMENT OR INDICTMENT OF A GRAND JURY, EXCEPT IN CASES ARISING IN THE LAND OR NAVAL FORCES, OR IN THE MILITIA, WHEN IN ACTUAL SERVICE IN TIME OF WAR OR PUBLIC DANGER; NOR SHALL ANY PERSON BE SUBJECT FOR THE SAME OFFENSE TO BE TWICE PUT IN JEOPARDY OF LIFE OR LIMB, NOR SHALL BE COMPELLED IN ANY CRIMINAL CASE TO BE A WITNESS AGAINST HIMSELF, NOR BE DEPRIVED OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW; NOR SHALL PRIVATE PROPERTY BE TAKEN FOR PUBLIC USE WITHOUT JUST COMPENSATION.

ARTICLE VI

IN ALL CRIMINAL PROSECUTIONS, THE ACCUSED SHALL ENJOY THE RIGHT TO A SPEEDY AND PUBLIC TRIAL BY AN IMPARTIAL JURY OF THE STATE AND DISTRICT WHEREIN THE CRIME SHALL HAVE BEEN COMMITTED, WHICH DISTRICT SHALL HAVE BEEN PREVIOUSLY ASCERTAINED BY LAW, AND TO BE INFORMED OF THE NATURE AND CAUSE OF THE ACCUSATION; TO BE CONFRONTED WITH THE WITNESSES AGAINST HIM; TO HAVE COMPULSORY PROCESS FOR OBTAINING WITNESSES IN HIS FAVOR, AND TO HAVE THE ASSISTANCE OF COUNSEL FOR HIS DEFENSE.

ARTICLE VII

IN SUITS AT COMMON LAW, WHERE THE VALUE IN CONTROVERSY SHALL EXCEED TWENTY DOLLARS, THE RIGHT OF TRIAL BY JURY SHALL BE PRESERVED, AND NO FACT TRIED BY A JURY SHALL BE OTHERWISE REEXAMINED IN ANY COURT OF THE UNITED STATES THAN ACCORDING TO THE RULES OF THE COMMON LAW.

ARTICLE VIII

EXCESSIVE BAIL SHALL NOT BE REQUIRED, NOR EXCESSIVE FINES IMPOSED, NOR CRUEL AND UNUSUAL PUNISHMENTS INFLICTED.

ARTICLE IX

THE ENUMERATION IN THE CONSTITUTION OF CERTAIN RIGHTS SHALL NOT BE CONSTRUED TO DENY OR DISPARAGE OTHERS RETAINED BY THE PEOPLE.

ARTICLE X

THE POWERS NOT DELEGATED TO THE UNITED STATES BY THE CONSTITUTION, NOR PROHIBITED BY IT TO THE STATES, ARE RESERVED TO THE STATES RESPECTIVELY, OR TO THE PEOPLE.

DESCENDANTS OF THE AMERICAN REVOLUTION

FOR EVIDENTIARY PURPOSES
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A STATEMENT IN DEFENSE OF THE BILL OF RIGHTS ISSUED BY

The Descendants of the American Revolution

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The Censorship in Boston

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¶ Boston is unique among cities of the United States in its advance censorship of books, plays and public meetings. Once the literary center of the country, it has now become the hub of censorship.

¶ Though Massachusetts laws affect other cities, Boston alone has established a system of advance control through threat of prosecution or of revoking licenses of halls and theaters.

¶ The guarantees of civil liberty all denounce censorship in advance, leaving the determination of law-breaking to the courts. But not in Boston!

¶ Here is the record of books banned, plays prohibited or censored, meetings forbidden or broken up.

¶ And here are the remedies proposed to break this largely lawless and always ridiculous censorship.

Read the story as told by PROF. ZECHARIAH CHAFEE, JR., *of the Harvard Law School, and give your help.*

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The Post Office Censor

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¶ The Post Office Department exercises one of the most sweeping censorships in the country—under vague laws against "obscenity," "defamation," and "fraud".

¶ Hundreds of pieces of mail are barred yearly without court trial, on one official's decision.

¶ The courts, when appealed to, will not interfere with the Postmaster's discretion.

¶ The remedy is to provide the same procedure as for printed matter imported from abroad—a trial by jury.

SUPPORT THE BILL NOW PENDING IN CONGRESS TO

ABOLISH THE POST OFFICE CENSORSHIP

AND SUBSTITUTE JURY TRIAL FOR ALL SEIZED MATTER

The National Council on Freedom from Censorship
(Organized by the American Civil Liberties Union)
100 Fifth Avenue
NEW YORK CITY

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IS OPINION A CRIME?

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THE United States Supreme Court has spoken, and four young idealists have to pay the price with their lives.

Mollie Stimer, a slip of a girl, is doomed to fifteen years' prison. Jacob Abrams, Samuel Lipman, and Hyman Lachowsky, none of them more than a youth, are to spend twenty years each behind prison bars.

What terrible crime have these young persons committed?

Have they injured the people of the United States?

Have they plotted against the welfare of this nation? Or have they committed some other heinous crime?

No, they have not done any of these things. Their only crime consisted in expressing sympathy with millions of starving women and children. They were human enough to voice their fellow-feeling with the famine-stricken workers of another land.

They asked that the blockade be lifted from Russia —the blockade that is killing more human beings every month than were sacrificed in half a dozen battles of the great world war.

These three youths and Mollie Stimer—enthusiasts of the ideal of human brotherhood—had published and distributed a circular appealing to the people of America to induce the Government at Washington to permit food, medicaments, and other necessaries to be sent to the sick and starving masses of Russia. They were **the first** in this country to raise their voices in behalf of their suffering brothers and sisters. Since then various members of the

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#51

NEW YORK CITY COMMITTEE

Attention was called in last year's report to the growing tendency on the part of the city administration to substitute arbitrary administrative rulings for action through the courts. This trend has continued, especially on the part of Mayor LaGuardia who, directly or through his Department heads, has taken administrative short-cuts to suppress acts or practices he opposes, or to control the sale of publications on licensed newsstands.

The most recent example of this dangerous trend is an order issued in May, 1943 by License Commissioner Moss, banning the sale of eleven magazines on city newsstands after the Postmaster General had revoked their second-class mailing privileges. It was explained that the step was taken "in keeping with the city's policy laid down by Mayor LaGuardia to forbid the sale on newsstands of periodicals deemed non-mailable." Since the magazines can be sent at other rates they are not therefore "non-mailable". Obviously the Mayor has set up his own standard of censorship.

Somewhat similar action was taken last fall when Mayor LaGuardia filed an affidavit asking the court to deny an injunction sought by publishers of "tipster" racing sheets to restrain License Commissioner Moss from banning their sale on newsstands. The Committee filed a brief in support of this suit, maintaining that freedom of the press was endangered by such arbitrary administrative rulings. The injunction was granted. Final decision awaits the outcome of the suit for a permanent injunction.

Another example of bureaucratic encroachment was the issuance of an order in February by Police Commissioner Valentine to station policemen 24 hours a day in the home of a Mrs. Lena Bertish, because a charge of conducting gambling had been placed against her, but had been dismissed. The Committee publicly offered assistance to Mrs. Bertish to test the legality of the procedure. Soon after the police were removed. Mayor LaGuardia stated, however, that he would continue the practice in future cases.

The growth of autocracy in the city government is strikingly evident in recent efforts of the Mayor to bring the Board of Education under his personal control. In April when the Board turned down the nomination of Mark Starr, recommended by the Board of Examiners as adult education director, the Mayor strongly criticized the President of the Board, who had voted against Mr. Starr's appointment, and warned that he would reorganize the Board at the first opportunity in order to have "complete harmony in the Board and complete confidence in every member." The Mayor's recent refusal to reappoint Mrs. Johanna Lindlof to the Board seems to have been prompted largely by his desire to substitute for her someone more responsive to his wishes.

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New York American

SEP 1 0 1917

#52

Petition to Congress OPPOSING The Espionage Bill

To the Congress of the United States:

YOUR petitioners earnestly and respectfully ask the Congress not to pass any censorship act that shall extend beyond military and naval news of value to the enemy.

The whole country is engaged in the war and the whole country should be permitted to know the truth about the war.

It is always dangerous in a republic to withhold from the people full knowledge of their affairs, or to deprive the press of the right freely to express public opinion.

The censorship provision of the Espionage bill, now pending in Congress, is an assault upon the very foundation of our free institutions—freedom of thought and of speech.

It is Un-American because it tends to put in full effect for the first time in the life of this Republic regulations for the SUPPRESSION of news and free public discussion—a suppression practised only under monarchies and autocracies.

It is undemocratic in that it violates the principle enunciated by Thomas Jefferson, author of the Declaration of Independence, who declared that government without laws would be better than government without a free press.

It is unrepublican in that it violates the principle of Abraham Lincoln, who said that it was better that public officials hould be criticised unjustly than that they should not be criticised at all.

It is unpatriotic in that it violates the spirit if not the letter of our Constitution which provides that "Congress shall make no law . . . abridging the freedom of speech or of the press."

We therefore urge that Congress shall take no step to withhold from the people that full information of the progress and conduct of the war which is necessary for their proper enlightenment, or to deny to the people their fundamental American liberties of free speech, free publication and a free expression of opinion.

Concealment of military plans and operations during their execution is always necessary; but concealment of the result of those operations, of failures or reverses, or past mistakes, or of incompetence or dishonesty, is inexcusable in a republic, where the people govern and must know the truth in order to govern wisely and well.

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The Outrage on Rev. Herbert S. Bigelow

of Cincinnati, Ohio

(October 28, 1917)

> "The cause of the United States is not aided, but is hurt, by that kind of thing. No night-riders are needed, and when the country is at war for liberty and justice they make a humiliating contrast to our national ideals and aims." —*Newton D. Baker, Sec'y of War, on the Bigelow outrage, Oct. 29th.*
>
> "I want to utter my earnest protest against any manifestation of the spirit of lawlessness anywhere or in any cause. . . . A man who takes the law into his hands is not the right man to co-operate in any form or development of law and institutions."—*Woodrow Wilson, Nov. 12, 1917.*

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March, 1918

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Amnesty for Political Prisoners

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A brief hand-book on the present status of those whose offense was the exercise of free speech in war time, including a summary of authorities on the treatment of "POLITICAL CRIME" IN EUROPE, from a study by Robert Ferrari, New York attorney.

Data on specific cases or information on any aspect of the free speech question may be obtained from

THE AMERICAN CIVIL LIBERTIES UNION
138 West 13th Street
New York

ERRATUM

Page 6—number of conscientious objectors court-martialed during war should read "150" instead of "160".

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THE SOVIET

of

Deer Island, Boston Harbor

January--February, 1920

by

One of the Members

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DO WE NEED MORE SEDITION LAWS?

H56

TESTIMONY OF

ALFRED BETTMAN

Until May, 1919, Special Assistant U. S. Attorney General
in Charge of Sedition Prosecutions

and

SWINBURNE HALE

Late Captain Military Intelligence Division,
General Staff, U. S. A.

before the

COMMITTEE ON RULES
OF THE HOUSE OF REPRESENTATIVES

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138 W. 13th St., New York City

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#157

THE OLD AMERICA AND THE NEW

COMPANY OF CONGRESS 1 8 1978

An Address Delivered in Chicago Feb. 8, 1920

By Judah L. Magnes.

I am glad to be able to participate in this meeting, and I hope that I may speak a word for the old America and for the new. The old America which we were brought up to love has been, during the last three years, almost done to death. But in the death struggle of the old America, the new America is being born; and not all the reactionaries with their violence and bloodshed and not all the anarchy of our government authorities can keep the free thought of America from joining the free thought of all the free peoples everywhere.

The old and glorious America made its first utterance to the world in the Declaration of Independence. It maintained "the right of the people to alter or abolish a government, and to institute a new government, laying its foundations on such principles and organizing its power in such form as to them shall seem most likely to affect their safety and happiness."

It has become treasonable to give utterance to such thoughts in the America of today. We are told that "America has had her revolution," and that further fundamental changes are not necessary and are not to be permitted. We answer that fundamental changes are needed in the world today fully as much as when the Declaration of Independence was written. For example, political dictatorship must be taken out of the hands of the minority, of the privileged few, and political power placed in the hands of the great masses of the people. Further economic dictatorship must be taken out of the hands of the small oligarchy of big business and the imperialists and their satellites of lawyers, teachers, clergymen and journalists, and economic power put in the hands of those to whom rightfully it belongs—the masses of the people who work and produce with hand and brain. Finally, the schools, universities, churches, the organs of public opinion, must be made free of the dictatorshio of the small minorities who now own these institutions and the bodies and souls of their ill-paid servants, and placed under the control of intellectual and spiritual forces in close touch with the real life of all the people. Indeed, we question the whole conception of the modern state with its unlimited powers over life and human personality, and those who in smug complacency announce that "America has had her revolu-

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The Supreme Court *vs.* Civil Liberty

Dissenting opinions of Justices Brandeis and Holmes in cases affecting civil liberty

Compiled by Albert De Silver and published by the AMERICAN CIVIL LIBERTIES UNION
138 West 13th Street, New York City, April, 1921

DURING the past two years the Supreme Court of the United States has had before it a number of grave questions involving civil liberty. The cases dealt with freedom of speech, not intea of the press, freedom from unlawful searches and seizures, and the right of labor to organize, strike and boycott.

In respect to freedom from unlawful searches and seizures, the Supreme Court, in a number of decisions culminating with the recent case of Gouled v. United States (Feb. 28, 1921), has so clarified and extended previous decisions that a liberal interpretation of the constitutional provision is now assured.

However, in respect to all the other phases of civil liberty mentioned above, the Supreme Court has gone over to the side of reaction. By judicial construction it has forged a powerful weapon for those who believe in governmental suppression of ideas deemed to be dangerous. This departure from what most except as the traditional American political philosophy has not been accomplished without the vigorous and able dissent of Mr. Justice Holmes and Mr. Justice Brandeis and occasionally Mr. Justice Clarke. The extent of the Courts' departure from the principle of civil liberty is made clear by the following excerpts from these dissenting opinions.

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Why Two Governors Freed Political Prisoners

#59

What the Governors of Illinois and New York Say of Free Speech Prosecutions; With the Dissenting Opinions of Supreme Court Judges.

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"Clearly we have turned the corner in our thinking upon questions of freedom of utterance. Burleson and Palmer and Daugherty are out of the current—stakes on the marshes to show where the tide once flowed.

"It is clear that the American people are coming to feel that the menace of suppression is worse for stable government than the threat of revolution. . . .

"The only danger we face in anarchy and communism, and all the well-known hell's brew of European proletarian misgovernment, begins when we clap the poor fish in jail who talks the drivel that we dignify with legal disapproval. If the drivel has any merit, bars will not hold it. If it is mere idiocy, it cannot propagate in a happy land.

"Action is, of course, different from mere mouthing. The man who throws a bomb or a brick is quite different from the man who merely throws a fit."

[WILLIAM ALLEN WHITE, *in the Emporia (Kas.) Gazette.*]

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The Nation-Wide Spy System

Centering in the

DEPARTMENT OF JUSTICE

X-JC 599
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Facts showing the enormous recent growth of a governmental secret police system, engaged in espionage, intimidation, propaganda and provocative acts.

AMERICAN CIVIL LIBERTIES UNION
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NEW YORK CITY

May, 1924.

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Political Prisoners by States

CALIFORNIA: Number in prison, 193. All members of the I. W. W. convicted under the criminal syndicalist law for membership in the organization or for carrying on its activities. Too numerous to list. In addition, there are 53 men indicted and held for trial.

WASHINGTON: **Tom Nash, Frank Nash, F. A. Brown, William Moody and Dan Curtin.** All are criminal syndicalist prisoners, members of the I. W. W., serving sentences of 1 to 10 years.

IDAHO: **H. E. Herd, A. S. Embree and Joseph Doyle.** All members of the I. W. W., serving under the criminal syndicalist law sentences of 1 to 10 years; earliest conviction in 1917. Fourteen more men recently indicted.

PENNSYLVANIA: **Joseph Martinowich, (communist), Charles Spinack and Steve Zonoff,** (members of the Union of Russian Workers). All serving sentences under the state anti-sedition act passed in 1919. Sentences range from 2 to 17 years. Earliest case 1919. Ten men are held for trial in Pittsburgh under the sedition act, resulting from the raids on the Workers' Party headquarters in April, 1923. Six men are held for trial at Farrell; one man, **Tony Kovacovich,** was convicted in May, 1924; case is on appeal.

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So This is LIBERTY!

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June, 1924.

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#63

The Record of the FIGHT *for* FREE SPEECH in 1923

The Work of the American Civil Liberties Union January to December 1923

"I dare say that unless the country becomes thoroughly aroused concerning the danger of this radical element in this country, we will have a very serious situation. These parlor Bolsheviks have sprung up everywhere, as evidenced by this American Civil Liberties Union of New York. They have organized a civil liberties union on the coast. Wherever we seek to suppress these radicals, a civil liberties union promptly gets busy."

WILLIAM J. BURNS,

Founder of the "world's greatest international detective agency," and late director of the Bureau of Investigation of the Department of Justice, testifying before a sub-committee of the House Appropriations Committee on April 1, 1924.

AMERICAN CIVIL LIBERTIES UNION
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May, 1924.

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FREE SPEECH IN 1924

The Work of the American Civil Liberties Union January to December 1924

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> No matter whose the lips that would speak, they must be free and ungagged. The community which dares not protect its humblest and most hated member in the free utterance of his opinions, no matter how false or hateful, is only a gang of slaves.
>
> —Wendell Phillips.

> I believe that the weakness of the American character is that there are so few growlers and kickers among us. We have forgotten the very principle of our origin, if we have forgotten how to object, how to resist, how to agitate, how to pull down and build up, even to the extent of revolutionary practices, if it be necessary to readjust matters.
>
> —Woodrow Wilson.

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April, 1925

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Free Speech and the Workers Party

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April, 1925.

TO OUR FRIENDS:

THE Workers Party has recently raised an unfortunate issue of civil liberty by deliberately breaking up meetings addressed by critics of Soviet Russia. While demanding free speech for themselves, the Workers Party has denied it to their opponents.

The tactics used to accomplish this purpose have been noisy demonstrations at meetings, which prevented the speaker from being heard. These tactics were directed chiefly against Dr. Rafael Abramovich, a Russian social-democrat touring the United States under the auspices of the Jewish Socialist Federation, speaking in Yiddish to socialist audiences. Workers Party members also broke up a meeting at the Town Hall, New York City, on March 9th, called to discuss political prisoners in all countries, because they took exception to including a discussion of political prisoners in Russia. They prevented B. Charney Vladeck of the *Jewish Daily Forward* from talking at all on that occasion.

The American Civil Liberties Union has protested to the Workers Party against these tactics. A number of letters and telegrams have been exchanged, in order to get the Workers Party to define its position clearly. The Central Executive Committee at Chicago says that it "does not organize or endorse breaking up meetings, Town Hall meeting included. We advise and endorse heckling and demonstrations against the propaganda of enemies of Soviet Russia and will defend rights of workers to make such protests."

The American Civil Liberties Union says in reply:

"The facts, we judge, are not in dispute. It is clear that the Workers Party as an organization opposes what it regards as attacks on Soviet Russia especially by Socialists and expresses that opposition by demonstrations which make it impossible to carry on meetings addressed by such critics. In the correspondence on this matter which has passed between the Workers Party national office and ours, the Party constantly refers to these demonstrations as "heckling," ignoring the fact that the demonstrations have been so continuous and so noisy that they have several times resulted in breaking up the meetings

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THE STATE DEPARTMENT'S BAN ON SAKLATVALA

The Facts
In a Case of International
Significance

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Published by the
AMERICAN CIVIL LIBERTIES UNION
100 Fifth Avenue, New York City

November, 1925

363

61-7559-2-1450

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FREE SPEECH 1925-1926

The Work of the American Civil Liberties Union

H 67

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"The most ominous sign of our time, it seems to me, is the indication of the growth of an intolerant spirit. . . . The interests of liberty are peculiarly those of individuals and hence of minorities and freedom is in danger of being slain on her own altars if the passion for unity and control of opinion gathers head."

CHARLES EVANS HUGHES, *before the American Bar Association, August, 1925.*

"It is the ferment of ideas, the clash of disagreeing judgments, the privilege of the individual to develop his own thought and shape his own character, which makes progress possible."

CALVIN COOLIDGE, *Address before American Legion, October 6, 1925.*

"Every idea is an incitement. It offers itself for belief and if believed it is acted on unless some other belief outweighs it or some failure of energy stifles the movement at its birth. The only difference between the expression of an opinion and an incitement in the narrower sense is the speaker's enthusiasm for the result. . . . If in the long run the beliefs expressed in proletarian dictatorship are destined to be accepted by the dominant forces of the community, the only meaning of free speech is that they should be given their chance and have their way."

JUSTICE HOLMES, *dissenting in the Gitlow case, June 8, 1925.*

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438

April, 1926

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New York City

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FREE SPEECH 1926

#69

The Work of the American Civil Liberties Union

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"A tolerant spirit towards those with whose opinions we disagree is a necessary basis for intellectual progress. We know really very little at the present time. There is much which we can justly hope to learn. Every one of us who has lived through a reasonable span of years has seen changes in many things with regard to which, when we first learned about them, there was much greater certainty than there is now. Eternal change is a characteristic of nature. How then can we rightfully endeavor to hamper the search for truth?"

FRANK J. GOODNOW, *President, Johns Hopkins University, Commencement Address, June, 1926.*

"The fight must go on. The cause of civil liberty must not be surrendered at the end of one or even one hundred defeats."

ABRAHAM LINCOLN, *Letter to Henry Asbury, Springfield, Ill., November 19, 1856.*

AMERICAN CIVIL LIBERTIES UNION
100 FIFTH AVENUE
NEW YORK CITY

April, 1927.

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FREE SPEECH 1926

The Work of the American Civil Liberties Union

"A tolerant spirit towards those with whose opinions we disagree is a necessary basis for intellectual progress. We know really very little at the present time. There is much which we can justly hope to learn. Every one of us who has lived through a reasonable span of years has seen changes in many things with regard to which, when we first learned about them, there was much greater certainty than there is now. Eternal change is a characteristic of nature. How then can we rightfully endeavor to hamper the search for truth?"

FRANK J. GOODNOW, *President, Johns Hopkins University, Commencement Address, June, 1926.*

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ABRAHAM LINCOLN, *Letter to Henry Asbury, Springfield, Ill., November 19, 1856.*

61-7559-2-3492

AMERICAN CIVIL LIBERTIES UNION
100 FIFTH AVENUE
NEW YORK CITY

April, 1927.

#70

Review of 1926

SP 1 8 1979

THE breakdown of civil rights in the Passaic textile strike in New Jersey, which continued throughout 1926, resulted in one of the bitterest struggles for civil liberty in the industrial field in recent years. The determined fight of the strikers to maintain these rights, supported by the American Civil Liberties Union and other interested groups, finally forced the authorities to a return to lawful methods in the district. The strike was settled at the end of the year, the mill owners signing agreements with the new union affiliated with the American Federation of Labor.

Civil liberty issues were also prominent in industrial conflicts in Indiana, where state troops were called on strike duty at non-union mines. In the Rhode Island textile strike troops were used also. Hundreds of strikers were arrested while picketing in the fur workers and garment workers strikes in New York City. Police brutality against strikers in these and the paper box workers strike called forth public protest.

In general, however, there was continued improvement in the civil liberty situation throughout the country. Our correspondents in forty-four states, replying to a questionnaire in December, 1926, reported that conditions are better than last year in nineteen states (Alabama, Arkansas, Connecticut, Delaware, Idaho, Iowa, Kansas, Louisiana, Maine, Michigan, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, Washington, and Wyoming); about the same in twenty-three states; and worse in two — New Jersey and Ohio. Twenty-seven states reported the American Legion as the most active agency of intolerance and repression, the Ku Klux Klan having lost its influence in practically every section. Next in importance are the fundamentalist groups who are behind the campaign for anti-evolution laws and for such laws as that recently enacted in North Dakota requiring the posting of the Ten Commandments in all public schools.

Many of the attacks on freedom of speech during the year have been traced to propaganda emanating from the War Department, the American Legion and patriotic societies. These groups together with the Bible Crusaders and other Fundamentalist organizations are held responsible also for the inroads on freedom of teaching. Sup-

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The Fight for Civil Liberty

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The Story of the Activities of the American Civil Liberties Union

1928-29

■

"If there is any principle of the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought; not free thought for those who agree with us, but freedom for the thought we hate."

JUSTICE HOLMES
dissenting in the Schwimmer case

■

AMERICAN CIVIL LIBERTIES UNION
100 Fifth Avenue
New York City

June 1929

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DEPARTMENT OF JUSTICE
3
SEP 18 1972

STATE POLICE

In relation to Labor and Civil Liberty

Prepared by the

American Civil Liberties Union, 100 Fifth Avenue, New York City. February, 1929.

Efforts are continually being made in one state or another t establish a state police system organized along military lines like that first developed in Pennsylvania in 1905. State-wide police sy tems now exist in twenty states--all established since 1905. The chief arguments for them is the better protection of rural district. Better control of violations of motor vehicle laws is also urged.

That itis not a simple question of policing rural districts, however, is obvious from the intensity of the fight for and against such police. Epithets like "American Cossacks" and "American Black-and-Tans" are hurled at the system by its opponents, led by organized labor. On the other hand, the representatives of organized business spare no effort to obtain a constabulary.

The form of organization and the numbers of state police vary from state to state. Some are called Departments of Public Safety, some Rangers, some Detective Bureaus.

This summary is a statement chiefly of the experience with the state police in industrial conflicts where civil rights are involved. It is not intended to be an all-around presentation of all the facts concerning the state police. In the non-industrial states the issue of course rarely comes up and the work of the state police is directed to other matters.

ORIGIN OF STATE POLICE LAWS.

In early state constitutions a state military force, known the militia, was provided to be called on when the constables or sheriffs were unable to cope with local disturbances. The governor of the state was designated as the commander of the militia and had power to summon it for enforcement of law. If the state militia failed, the federal government could be called upon to send troops quell local disorders. The record during the last century shows t these troops were called out most frequently in strikes. Almost i avitably their appearance resulted in conflict between them and the strikers. The workers' hostility to the troops was bitter.

Eventually the disadvantages in using the militia in striker was recognized. Large expense, delay in mobilization, the risk of arraying workers against workers, and the fact that strike duty served as a deterrant to enlistment, led employers to seek other means of controlling and breaking strikes. Some engaged industrial guards deputized as special sheriffs. Others, as in Pennsylvania West Virginia, organized their own police forces to whom the state gave commissions to act. These corporation police, paid by the companies and with no responsibility to the state, were frequently imported thugs and gunmen.

It was in order to take the place of these corporation police that the Pennsylvania state police were created according to the proponents of the measure. But it is significant that in both Pennsylvania and West Virginia no reduction in the number of corporation police has taken place since the enactment of the state police laws.

The Pennsylvania "state constabulary" established in 1905 w the original model for the various state police systems. The Texas Rangers, the Arizona Rangers, the New Mexico Mounted Police and a few other state forces were created earlier, but served purposes different from the Pennsylvania troopers. From the outset they were engaged in strike duty, concentrated chiefly in the coal and iron districts.

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The California Red Flag Case

The facts of the conviction of five young women for displaying a red flag at a children's summer camp.

Up to 10 years in prison for displaying this!

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The Story of Civil Liberty—1929-30

If in the long run the beliefs expressed in proletarian dictatorship are destined to be accepted by the dominant forces of the community, the only meaning of free speech is that they should be given their chance and have their way.

JUSTICE HOLMES, *dissenting in the Gitlow Case.*

AMERICAN CIVIL LIBERTIES UNION
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The American Civil Liberties Union, Inc.

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What is it?
What are its principles?
What does it do?
Where does it get its money?
Who controls its policies?

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American Civil Liberties Union, Inc.
100 Fifth Avenue
New York City

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December, 1931

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The Right to Advocate Violence

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March, 1931

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Indian Primer

The outstanding facts about the condition and treatment of American Indians today; their civil rights; and a program of remedies.

Committee on Indian Civil Rights
of the
AMERICAN CIVIL LIBERTIES UNION
100 Fifth Avenue
New York City

August, 1932.

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DEATH For Inciting Insurrection In Georgia!

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"Land of the Pilgrim's Pride"

1932-1933

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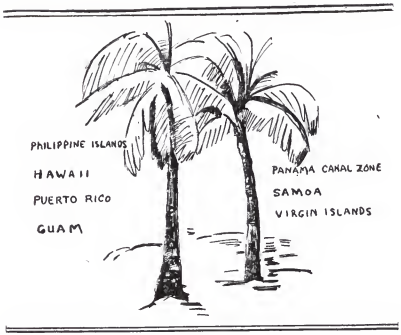
CIVIL LIBERTIES *in* AMERICAN COLONIES

A survey of interference with civil rights of natives;
and of the forms of American control;
with proposed remedies



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March, 1933

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American Civil Liberties Union

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Monthly Bulletin for Action

October, 1933

HELP WIN ASYLUM FOR REFUGEES FLEEING THE NAZI TERROR

Admission of religious and political refugees, particularly those fleeing from the German dictatorship, has been urged on President Roosevelt by the American Civil Liberties Union in a memorial signed by thirty-six prominent educators, lawyers, clergymen and liberals. This memorial must be supported by letters from all over the country. The plight of these refugees is desperate. They have a special claim both in law and tradition to asylum in this country.

The American Federation of Labor opposes the Union's suggestion on the ground those admitted would compete with Americans for jobs. The A.C.L.U. maintains that the danger might be eliminated by requiring the posting of bonds by reputable citizens to insure against refugees becoming public charges.

Write to the President at once urging:

1. That the executive order issued by President Hoover in 1930 which had the effect practically of stopping all immigration be revised.

2. That American consuls both in Germany and outside be advised of this change.

3. That consuls be informed that affidavits of good character will serve as a satisfactory substitute for a police certificate of good character.

4. That the attention of consuls be called to special claims in law of political and religious refugees to asylum in the United States.

* * *

FIGHT POLICE THIRD DEGREE

Practical methods of combating the third degree inherent in the American police system are set forth in a pamphlet just published by the Civil Liberties Union. The recommendations were drafted by five lawyers, two of whom aided in preparing the Wickersham Commission's Report on the Third Degree, and by an investigator for the Commission.

The pamphlet urges administrative and legislative reforms including prompt physical examinations of prisoners, exact reports as to time of arrest and all other steps in handling of prisoner, arrests only after sworn police charges of specific offenses, the presence of a stenographer at all examinations of prisoners. Immediate arraignment before a magistrate is recommended as is a law prohibiting confessions secured in violation of the defendant's constitutional rights.

(more)

RE: - A.C.L.U.
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To American Citizens:

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1978

The American Civil Liberties Union has been recognized as a subversive organization for years. See reprint from House of Representatives Report No. 2290, January 17, 1931, Committee Investigating Communistic Propaganda in the United States, "Fish Report," which follows:

The annual report of this organization is now being republished, the only changes being in the use of italics. It is hoped that a wide distribution of this report showing their SELF-CONFESSED SUBVERSIVE ACTIVITIES will expose this politically powerful organization.

It is not generally known that a very large number of persons holding appointive positions under the New Deal are or have been members of or subscribers to the American Civil Liberties Union. When this is understood it is easy to account for the radical and alien philosophies behind the New Deal.

It is recommended that special consideration be given to the matter printed on page 7, Police Repression page 21, Professional Patriots page 29 and page 31.

As a patriotic duty please help in the distribution of this pamphlet and see that as much publicity as possible will be given this document. Single copies 15c, in quantities 10 for $1.00.

THE RE-PUBLISHER
Box 93, Grand Central Annex
New York, N. Y.

1734

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"LAND of the FREE"

The Story of the Fight for Civil Liberty 1934-35.

"So ya believe in the Constitution, do ya?"

American Civil Liberties Union
Metropolis Bldg., 31 Union Sq., West
New York City

31

June, 1935.

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How Goes the BILL of RIGHTS?

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The Story of the Fight for Civil Liberty, 1935-36

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American Civil Liberties Union
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June 1936

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The American Civil Liberties Union, Inc.

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#85

What are its principles?
What does it do?
Where does it get its money?
Who controls its policies?

THIS PAMPHLET WAS PRINTED FOR DISTRIBUTION AT THE NINTH ANNUAL MEETING OF THE AMERICAN CIVIL LIBERTIES UNION, NOV. 14, 1936

31 Union Square West
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438
November, 1936

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The Strange Case of Mrs. Eaton

A woman deprived of the custody of her two little children in a divorce case in New Jersey, solely on the ground of her religious and political views. The only such case on record.

Read these extracts from the court record—and help support her appeal. Use the coupon enclosed.

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June, 1936

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Selected Bibliography on

Civil Liberties
in
The United States #87

Compiled by

CLARICE A. ROSENTHAL, M. MEEKER,
M. OTTENBERG and others

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31 UNION SQUARE WEST
NEW YORK CITY

December - 1937

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LET FREEDOM RING!

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The Story of Civil Liberty

1936-1937

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State Laws Affecting Civil Liberty

#189

Maps Showing Laws Aimed At

Radical Activities

Negroes' Rights

Freedom in Education

Abuses in Issuing Labor Injunctions

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New York City

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What are its principles?
What does it do?
Where does it get its money?
Who controls its policies?

31 Union Square West
New York City

181 September, 1938

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More Candid Views of MAYOR HAGUE

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From Editorials in the Nation's Press

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The New Yorker

New [illegible]
May 9, 1938

It is not Mayor Hague that we have to fear. It is the existence of a substantial number of persons so short-sighted that they have as little respect for constitutional rights as he has.

The Christian Century
June 15, 1938

The problem of free speech is a very live issue. Roman Catholics, whether priests or laymen, do their church a great disservice by joining hands with a man like Hague to eliminate civil liberty from a "Catholic city."

Philadelphia (Pa.) ***Evening Ledger***
June 16, 1938

Mayor Hague insists that Americanism and law and order are the issue involved in the litigation which grew out of his refusal to permit the C. I. O. or the Socialist candidate for President to hold meetings in Jersey City. He should realize two things: First, that he cannot suspend the Constitution; second, that, if America were ruled as he advocates, he might be the first person sent to Siberia in Alaska.

This is Bulletin No. 2 of a Series Showing the Reaction in the Nation's Press to the Suppression of Constitutional Rights in Jersey City by Mayor Hague.

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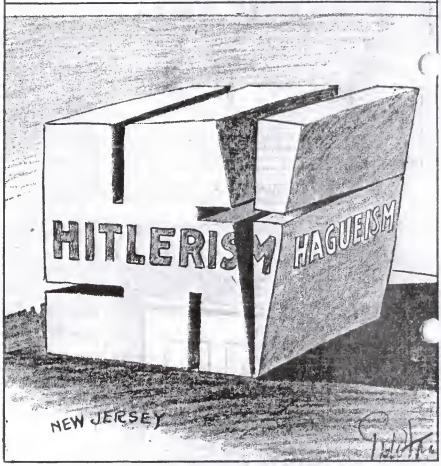
CANDID VIEWS OF MAYOR HAGUE

FROM THE NATION'S PRESS

A Chip Off The Old Block?



Tampa, Fla. Tribune

First in a Series of Bulletins Showing the Reaction of the American Public to Suppression of Constitutional Rights in Jersey City.

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LANGUAGE DIVISION

What Eminent Americans say about MAYOR HAGUE

Statements by Public Officials, Religious Leaders, Educators, Publicists, Veterans and Public Spirited Citizens.

President Roosevelt

Rebuked Mayor Hague in a Fireside Chat, June 25, 1938

> "There can be no constitutional democracy in any community which denies to the individual his freedom to speak and worship as he wishes. The American people will not be deceived by any one who attempts to suppress individual liberty under the pretense of Patriotism."

Alf M. Landon

(In an open letter to Norman Thomas)

> "I am shocked at your treatment in Jersey City and at such a gross violation of our sacred right of speech. I do not want this threat of our priceless heritage of freedom to pass without protest on my part. It is shocking evidence that even America is not isolated from the rising tide of hate and intolerance."

Mgr. John A. Ryan

Director, Social Action Department,
National Catholic Welfare Council

> "Many Jersey City Catholics do not realize that the real conflict is between Americanism and civil rights on the one hand and on the other hand the subserviency of city officials to selfish employers who seek to prevent effective organization of labor."

Bulletin No. 3 in a Series Showing the Reaction Throughout the Nation to the Suppression of Constitutional Rights in Jersey City by Mayor Hague.

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Local Civil Liberties Committees

Reports 1937-1938

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Supplement to

ETERNAL VIGILANCE!

The Story of Civil Liberty 1937-38

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31 Union Square West
New York City

June 1938

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Religious Liberty in the U. S. Today

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A Survey of the Restraints on Religious Freedom

"The essence of religion is belief in a relation to God involving duties superior to those arising from any human relation."

Chief Justice Charles Evans Hughes

Published by

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New York City

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Reports 1938-1939

Supplement to

THE BILL OF RIGHTS—150 YEARS AFTER

The Story of Civil Liberty, 1938-39

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New York City

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June, 1939

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#90

Congress of the United States

begun and held at the City of New-York, on
Wednesday the Fourth of March, one thousand seven hundred and eighty-nine

THE Conventions of a number of the states, having at the time of their adopting of the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the government will best ensure the beneficent ends of its institution

RESOLVED, by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both houses concurring, that the following articles be proposed to the legislatures of the several states, as amendments to the Constitution of the United States; all or any of which articles, when ratified by three fourths of the said legislatures, to be valid to all intents and purposes as part of the said Constitution, viz.

ARTICLES in addition to, and amendment of, the Constitution of the United States of America, proposed by the Congress, and ratified by the legislatures of the several states, pursuant to the fifth article of the original Constitution.

Article the first. After the first enumeration required by the first article of the Constitution, there shall be one representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred representatives, nor less than one representative for every forty thousand persons, until the number of representatives shall amount to two hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than two hundred representatives, nor more than one representative for every fifty thousand persons.

Article the second. No law, varying the compensation for the services of the senators and representatives, shall take effect, until an election of representatives shall have intervened.

Article the third. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and petition the government for a redress of grievances.

Article the fourth. A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Article the fifth. No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; but excepting cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger, warrants shall issue only upon oath or affirmation, signed by a person of credit, and specially describing the place to be searched, and the persons or things to be seized.

Article the seventh. Some of the state conventions have recommended various other amendments to the constitution of the United States; and it is the opinion of this committee, that a bill should be brought into the house, and a resolution passed, in lieu of those parts of the amendments proposed by the conventions of the several states, which are not included in the articles proposed to be added to the constitution of the United States, that it may be known what amendments, in the opinion of the people, are deemed necessary to be added to the constitution.

Article the eighth. The ratification of the conventions of nine states, shall be sufficient for establishing the constitution between the states so ratifying the same.

Article the ninth. The amendments to the constitution of the United States, which have been ratified by three fourths of the legislatures of the several states, shall be valid to all intents and purposes as part of the said constitution, when ratified by conventions in three fourths of the states.

Article the tenth. The amendments to the constitution of the United States, which have been ratified by three fourths of the legislatures of the several states, shall be valid to all intents and purposes as part of the said constitution, when ratified by conventions in three fourths of the states.

Article the eleventh. The amendments to the constitution of the United States, which have been ratified by three fourths of the legislatures of the several states, shall be valid to all intents and purposes as part of the said constitution, when ratified by conventions in three fourths of the states.

Article the twelfth. The amendments to the constitution of the United States, which have been ratified by three fourths of the legislatures of the several states, shall be valid to all intents and purposes as part of the said constitution, when ratified by conventions in three fourths of the states.

ATTEST, Frederick Augustus Muhlenberg, Speaker of the House of Representatives.
John Adams, Vice President of the United States, and President of the Senate.

John Beckley, Clerk of the House of Representatives.
Sam. A. Otis, Secretary of the Senate.

Bill of Rights

AMERICAN CIVIL LIBERTIES UNION
31 Union Square West
New York City

(Copyrighted) June, 1939

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CONSTITUTIONAL RIGHTS

These are the amendments to the Constitution which set forth the chief guarantees of civil and personal rights.

AMERICAN CIVIL LIBERTIES UNION
31 Union Square West, New York . . . August, 1939

61-7551-2 X-JC 599 .U5A5

National Conference on Civil Liberties in the Present Emergency

#100

HOTEL BILTMORE
43rd St. and Madison Ave., New York City

OCTOBER 13 AND 14, 1939

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ACQUISITIONS

Under the auspices of a committee of distinguished sponsors headed by William Allen White, Emporia, Kansas; Colonel William J. Donovan of New York and Dr. Mary E. Woolley, former President of Mt. Holyoke College.

The Conference is organized through the American Civil Liberties Union in cooperation with many other organizations active for civil liberties.

Program

Friday Evening, October 13th, 7:00 P.M.

SPEAKERS:

HON. FRANK MURPHY, Attorney General of the United States.

HON. ELBERT D. THOMAS, United States Senator from Utah. (By radio from Washington, D. C.)

J. WARREN MADDEN, Chairman, National Labor Relations Board.

William Allen White, presiding

It is the desire of the Conference to honor those men in public life who have rendered such signal service to the cause of civil rights—the Attorney General in creating the Civil Liberties unit in the Department of Justice; Senator Thomas as a member of the Senate Civil Liberties Committee; and J. Warren Madden as administrator of the National Labor Relations Act.

There will be a showing of THE BILL OF RIGHTS by courtesy of the producers, Warner Brothers Pictures.

61-7559-2 X-JC599 .U5A5

Civil Liberty

#101

A statement defining the position of the AMERICAN CIVIL LIBERTIES UNION *on the chief issues*

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WE STAND on the general principle that all matters of public concern should be freely discussed without interference. Orderly social progress is promoted by unrestricted freedom of agitation and organization. The punishment or prohibition of mere words without overt acts is never in the interest of orderly progress. Suppression makes for violence and bloodshed.

The principle of freedom of speech, press, and assembly, embodied in our constitutional law, must be constantly reasserted and applied to be made effective. It must be interpreted in relation to the various methods used to repress new ideas and movements. The following paragraphs cover the most significant aspects of repression in the United States today.

1. Free Speech

There should be no control whatever in advance over what any person may say. The right to meet on private property and to speak freely should be unquestioned. Meetings in public places may properly be regulated by permit but without any discrimination whatever on account of the political program or views expressed. The fullest freedom of speech should be encouraged by setting aside places in streets or parks for use without permits, and in the use of public buildings for public meetings of any sort.

There should be no prosecutions for utterances on matters of public concern, however radical, however violent, or however offensive to special groups or interests. Prosecutions should be brought only for acts or attempted acts and language specifically inciting to the commission of such acts.

2. Free Press

There should be no censorship over the mails by the postoffice. Printed matter should never be subject to a political censorship. The granting or revoking of second-class mailing privileges should have nothing whatever to do with a paper's opinions and policies.

If allegedly libelous, fraudulent, obscene, seditious or other illegal matter is being circulated, it should be seized by proper warrant through the prosecuting authorities and tried before a jury. The business of the Postoffice Department is to carry the mails, not to act as censor.

There should be no control over the distribution of non-commercial literature at meetings or hand to hand in public or in private places. No system of licenses for distribution should be tolerated.

3. Freedom of Assemblage; Picketing

Meetings in public places, demonstrations at public offices, parades and processions should be freely permitted, the only reasonable regulation being the advance notification to the police of time and place. No discretion should be given the police to prohibit parades or processions, but merely to alter routes in accordance with the imperative demands of traffic in crowded cities. There should be no laws or regulations prohibiting the display of particular flags or other political emblems.

The right to picket is involved in the right of assemblage. Peaceful

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#102

PROCEEDINGS

of the

National Conference on Civil Liberties in the Present Emergency

New York City

October 13-14, 1939

61-7559-2-3466

AMERICAN CIVIL LIBERTIES UNION
31 Union Square West
New York City

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Civil Liberty

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A statement defining the position of the American Civil Liberties Union on the chief issues

AMERICAN
CIVIL LIBERTIES UNION
31 Union Square West
New York City

January, 1940

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#104

The American Civil Liberties Union, Inc.

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What Are Its Principles?

★

How Does It Work?

★

Where Does It Get Its Money?

★

Who Controls Its Policies?

31 UNION SQUARE WEST, NEW YORK CITY

OCTOBER, 1940

181

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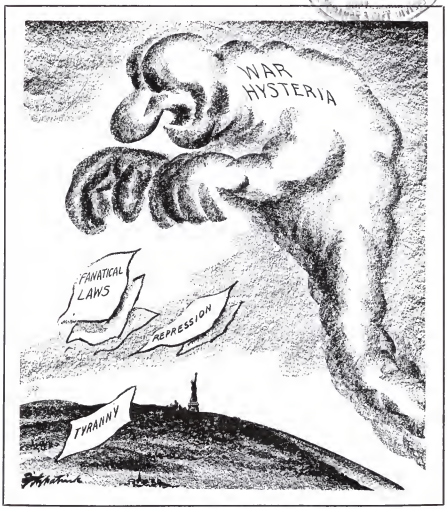
IN THE SHADOW OF WAR

The Story of Civil Liberty 1939-1940



Fitzpatrick in St. Louis Post-Dispatch

American Civil Liberties Union
31 Union Square West
New York City

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June, 1940

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The Persecution of Jehovah's Witnesses

•

THE record of violence against a religious organization unparalleled in America since the attacks on the Mormons.

•

American Civil Liberties Union
170 Fifth Avenue
New York City

181

January, 1941

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The Story of the Bertrand Russell Case

THE enlightening record of the obstruction by courts and officials of the appointment of Bertrand Russell to a professorship at the College of the City of New York.

AMERICAN CIVIL LIBERTIES UNION
31 Union Square West
New York City

January, 1941

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Campaigns for Civil Liberty - 1941

Here are our general campaigns. Lend your support. Read, then tear off and return the form on the back. Sign up to get on the special mailing lists so that you may know when and how to help.

AMERICAN CIVIL LIBERTIES UNION
170 Fifth Avenue . . . . . February, 1941

181

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Liberty's National Emergency

The Story of Civil Liberty in The Crisis Year 1940-1941

American Civil Liberties Union
170 Fifth Avenue
New York City

June 1941

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#110

FREEDOM IN WARTIME

A report of the

AMERICAN CIVIL LIBERTIES UNION

in the Second Year of War

> We will not, under any threat, or in the face of any danger, surrender the guarantees of liberty our forefathers framed for us in our Bill of Rights. We hold with all the passion of our hearts and minds to those commitments of the human spirit.
>
> PRESIDENT ROOSEVELT
> *from a speech on Bill of Rights Day, December 15, 1941*

AMERICAN CIVIL LIBERTIES UNION
170 Fifth Avenue, New York 10, N. Y. June, 1943

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AMERICAN CIVIL LIBERTIES UNION
170 FIFTH AVENUE
NEW YORK CITY

#111
X-JC 599
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June, 1943

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JUN 16 1978

To our friends:

After looking over this report, will you pass it on to someone likely to be interested to join the Union--or to a local library for reference?

And will you respond below if you have a surplus to invest in one or another of the special funds needed above our ordinary operations?

The chief needs at the moment are:

1. For printing and legal expenses in the Japanese American evacuation cases appealed to the Supreme Court,

2. For expenses of maintaining a legal bureau for conscientious objectors in Washington and New York,

3. For the work of a national co-ordinating committee against "race discrimination in the war effort"--pulling together the work of all private agencies.

4. For campaigns against legislation violative of labor's civil rights--in Congress and state legislatures,

5. For the pending court test of the constitutionality of the peace-time sedition act.

Sincerely yours,

J. Haynes Holmes
Chairman of the Board

B. W. Huebsch
Treasurer

Roger Baldwin
Director

American Civil Liberties Union
170 Fifth Avenue, New York City

Date _____

Enclosed is my contribution to Special Funds, to be applied to # _____

Signed _____

Address _____

61-7551-2-360 Copy 17

What's Obscene?

X-JC 599
.U5 A5

The federal government in recent proceedings holds that it is obscene to advocate polygamy, to portray nudism for health, to give plain-spoken sex instruction for marriage, to publish pictures of "pin-up" girls.

SEP 19 1978

The Post Office Department censors determine most of these standards of morality. Their power should be transferred to the courts, with juries to reflect public morals.

#112

Read the facts about these recent cases, and lend your aid in changing the system.

THE CENSORS

OBSCENITY is a crime under federal and state laws when allegedly salacious matter is publicly distributed. The protection of public morals of course demands some control over the distribution of indecent literature and pictures. But the difficulty at once arises in determining what is in fact obscenity. Public morals constantly change. What is regarded as obscene in one generation may be accepted as entirely proper in the next. While there may be general agreement as to certain extreme forms of indecency, there is a large borderline area where judgments differ.

Censors notoriously do not catch up with changing standards. They tend to base their concepts on the most puritanical notions. Therefore the only satisfactory method of determining current standards of morality is a proceeding in the courts with the right of trial by jury, for average jurors reflect average public morals.

That system has been in effect with no complaints for over ten years in relation to literature and pictures imported from abroad which customs officials may challenge and seize, but which they are obliged, on demand of the importer, to take to the courts. There a judge and jury determine whether the material is admissible.

The Post Office Department follows a contrary procedure. It may bar from the mails any matter which in the judgment of its lawyers is obscene. No hearings are held save when second-class mailing privileges are revoked. No court review is possible except on the narrow ground of abuse of the wide discretion given the Postmaster.

This pamphlet sets forth a few of the recent cases which have gone into

American Civil Liberties Union, 170 Fifth Avenue, New York 10, N. Y.

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presenting

THE AMERICAN CIVIL LIBERTIES UNION

What are its principles?

How does it work?

Where does it get its money?

Who controls its policies?

170 FIFTH AVENUE, NEW YORK CITY (10)

'81 APRIL, 1945

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THE ACLU's STAND ON—

- GOVERNMENT LOYALTY TESTS
- OUTLAWING THE COMMUNIST PARTY
- A.Y.D. ON THE CAMPUS
- HOUSE UN-AMERICAN ACTIVITIES COMMITTEE

★

AMERICAN CIVIL LIBERTIES UNION
170 Fifth Avenue New York 10, N. Y.
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X-JC 599
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EXCHANGE

June 1949 #116

To ACLU members and friends:

Here is your copy of our 1949 program, a somewhat tardy leaflet on international civil rights, and the June Quarterly -- which in September will become a monthly to bring you more frequent news of activities.

Your officers are grateful to all members who helped end the fiscal year in February without a deficit. We met the biggest budget in ACLU history -- almost $70,000 with Special Funds -- a modest sum considering the wide range of work.

Each year extra funds are needed for unpredictable purposes: court costs, legislative campaigns, etc. Funds are NOW needed for such critical test cases, among others, as: --

1. Special loyalty oaths imposed on California county employees
2. Six Trenton, N.J., youths sentenced to die largely through forced confessions later repudiated
3. A father's appeal to take his children from N.Y. institutions to his home in Armenia against rulings that they would fare better here
4. A teacher jailed for urging a C. O. to stand by his decision not to register
5. The right of street preachers in N.Y. to talk without permits
6. Witnesses' rights not to reveal union and political connections to the House Un-American Activities Committee without being held for contempt.

These are just samples of the variety of issues constantly arising for which special funds are needed to pay costs -- not lawyers (they all volunteer their services). A slip is enclosed for your convenience.

You can also help by landing one new member before the summer is on. Increased membership is essential both to expand our influence and to meet this year's budget. Members are our best salesman. Won't you ask a friend to fill out our blank enclosed and send it in?

And last -- please note in the Quarterly suggestions for your help on bills in Congress. Every letter helps: congressmen DO read their mail from home.

Sincerely yours,

Chairman of the Board

Treasurer

Director

61-7357-2-2-2-60

AMERICAN CIVIL LIBERTIES UNION

170 Fifth Avenue, New York 10, New York

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#117

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November 21, 1949

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Dear Fellow-American--

What is your civil liberties I.Q.?

You can find out in a few minutes by checking through the enclosed Twenty Questions.

By your own answers you will decide whether you belong with that distinguished group of citizens who make up the membership of the American Civil Liberties Union -- the one national non-partisan agency defending everybody's rights without distinction.

The Union has been fighting the fight of freedom for all Americans for nearly 30 years. It has no platform but the "Bill of Rights." It bars all anti-democratic influences from its councils -- Communist, Fascist and KKK included.

Surely you'll agree that today the need is greater than ever before for the protection and expansion of civil rights. The Union has proved over the years that it gets results -- with the aid of its many volunteer lawyers, members and friends.

You would find satisfaction in being a $10 member of the ACLU, but we would be glad to have you with us, whatever dues you wish to pay.

Won't you help protect the liberties of all of us by returning the enclosed blank in the prepaid envelope provided -- today?

Sincerely yours,

Roger Baldwin

Roger N. Baldwin

NOTE: If you already belong please excuse this letter. We can't afford to check all the large lists against our roster. Anyhow you may find Twenty Questions of use in asking some friend to join.

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AMERICAN CIVIL LIBERTIES UNION

170 FIFTH AVENUE, NEW YORK 10, N.Y.
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May 16, 1950

Dear Fellow-American--

Nothing has shocked me so much since my return to active life -- after a long absence, first in India and then in a hospital -- as the apparent decrease in attachment to civil liberties among so many of my fellow citizens.

Long, long ago James Madison issued this fateful warning: "There are more instances of the abridgement of the freedom of the people by gradual and silent encroachment of those in power, than by violent and sudden usurpations." Madison was, I feel, wholly right.

How often have I not heard people say in recent weeks, "Oh, yes, I believe in civil liberties - - - BUT - - -". It is that ominous "BUT" which furnishes the excuse for destroying democracy by first undermining our liberties.

You are, I am sure, a firm believer in real civil liberties. You can measure your own belief in a few minutes by checking through the enclosed Twenty Questions. If you score 75 or better you belong with the American Civil Liberties Union.

The Union has been battling for human rights since 1920. Its sole platform is the "Bill of Rights". It bars all anti-democratic influences from its councils -- Communist, Fascist and KKK included -- but it has fought, and will continue to fight, for the basic rights of all Americans regardless of their political affiliations, racial origins or religious beliefs.

In view of the existing crisis in civil rights I earnestly ask you to contribute whatever seems proportionate to your means. You will find satisfaction in being a $10 member, but we would be glad to have you with us whatever sum you wish to give. Your contribution will not only help those who stand in jeopardy today but will be a protection for your own future freedom. Membership blank-return envelope enclosed.

Faithfully and expectantly yours,

Eduard C. Lindeman

NOTE: On the back of this letter you will find what the N.Y. Times and Christian Science Monitor think of the ACLU... If you already belong, won't you use Twenty Questions and this letter to persuade some friend to join?

Incorporated — Founded 1920

61-7557-2-2260

AMERICAN CIVIL LIBERTIES UNION
170 FIFTH AVENUE
NEW YORK 10, N. Y.

May 25, 1950

X-JC599
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#119

To Fellow-Members of the ACLU,

Dear Friends -

Now that three and a half months have passed since I joined the staff of the Union and I can begin to see over the top of my desk, I want to send you this personal greeting and report and request. It is not a request for money, but action.

1 8 1978

Until the Board of Directors proposed the idea last winter, I had never thought of becoming professionally engaged in ACLU work. But my wife and I have been members for over twenty years, and the exciting pleasure of these first months makes us feel that I am where I belong. No one could fill Roger Baldwin's shoes; I shall confine my hope to filling my own smaller pair! I know you are as happy as I am that he has been elected chairman of our National Committee, to succeed Professor E. A. Ross, who -- after years of devoted and effective service -- has had to retire because of age.

These are times that try the souls of men and women who believe in civil liberties. Recognizing that, the Board and the staff are determined that the ACLU shall become more widely, more energetically and more promptly active on all fronts. Encouraged by the month-to-month rise in membership and income, the Board has already authorized an increase in the budget from last year's $80,000 (which you met by your generous contributions) to $110,000 for this year. We are adding a full-time associate staff counsel in the New York office and expanding the facilities and functions of our Washington representative. Our assistant director is putting almost all his time into aiding our 16 local affiliates -- and others soon to be formed -- in building their membership and activity.

We need your help in enrolling 10,000 new members this year, to augment the 10,000 who now belong to the Union and the 4,000 others who belong to its affiliates. Enclosed are two copies of Twenty Questions on Civil Liberties. Don't worry if you fail to score 100 on your copy; there is a lot of healthy disagreement even within the Board on many policy questions. But send the other copy to some friend of yours, along with the combination membership blank and return envelope. If you wish, use the form covering letter also enclosed, adding a salutation, signature and personal postscript. Note that we have used our full letterhead so that your friend will know exactly who we are -- still, your own personal letter would be more effective.

Please take this further step in your own civil liberties crusade, immediately. Let us know if you need a larger supply of any of these materials. They will be sent by return mail, without charge.

Gratefully and hopefully yours,

Patrick Murphy Malin

Patrick Murphy Malin
Executive Director.

61-7559 - X-JC599 .U5A5

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A day in the Life of an American

"CONGRESS IS ALL WRONG!" exploded Bill Average Citizen Jones this morning at breakfast as he glared at his newspaper.

Commonplace remark? Heard this morning over many a breakfast table? Yes, thank heavens!

Symbolically, it's perhaps the most important thing Bill Jones can say these days. Because when he wakes up to it, right there he's actually *using* a much-talked of civil liberty—freedom of speech. And reading his uncensored newspaper, he's using freedom of the press.

So stop thinking of civil liberties as abstract, remote phrases. Start noticing how they touch you—day in, day out . . . most every hour of the day.

Look at Bill Jones' day:

Before he leaves home, Jones stops to listen to the radio's morning grist of news. He is *using* another civil liberty—the right to a free avenue of expression on the radio.

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Form card

YOUR *civil* RIGHTS

MAYOR'S COMMISSION
ON HUMAN RELATIONS
CHICAGO ILLINOIS